

**SECOND REPORT ON INTENT TO AMEND RULES**  
**Department of the Treasury**  
**Board of Trustees of the Louisiana State Employees' Retirement System**

Part I. Louisiana State Employees' Retirement System  
Chapter 1. General Provisions  
(LAC 58:I.101—107)

The Department of the Treasury, Board of Trustees of the Louisiana State Employees' Retirement System ("LASERS") proposes amendment in part and repeal in part of provisions contained in Chapter 1 Part I of LAC Title 58. Seven definitions in Section 101 are recommended for repeal, as they are unused in the Part or are already defined in statutory law. Sections 103 and 105 are recommended for repeal in their entirety because they are unneeded. Section 107 is recommended for repeal because it is unsuited for the LASERS appeal process. The proposed rule changes comply with and are enabled by R.S. 11:515. The notice of intent to amend these rules was published on October 20, 2016. In that notice of intent, interested persons were given until 4:30 pm, November 30, 2016 to submit written comments on the proposed changes.

LASERS reports the following:

- No parties submitted a request for an opportunity for an oral presentation or argument on the proposed rule changes.
- No parties submitted comments on the proposed rule changes.
- No parties submitted a request for further information on the proposed rule changes.
- Absent a request for oral presentation or argument, no public hearing was held on the proposed rule changes.
- Absent a public hearing, no comments or testimony on the proposed rule changes were received.
- Absent comments or testimony on the proposed rule changes, LASERS has prepared no response to same.
- Absent comments or testimony on the proposed rule changes, LASERS has prepared no statement of tentative or proposed action.
- Absent comments or testimony on the proposed rule changes, LASERS has made no revision of the proposed rule changes since the initial report to the legislature.

Subject to legislative oversight by either the House or Senate Retirement Committee, the board intends to submit a Rule to the Office of the State Register for publication. Please contact Steve Stark at (225) 922-0398 if the board may be of any assistance to you concerning this rule.

Cindy Rougeou  
Executive Director

## NOTICE OF INTENT

### Department of the Treasury Board of Trustees of the Louisiana State Employees' Retirement System

General Provisions (LAC 58:I.Chapter 1)

The Department of the Treasury, Board of Trustees of the Louisiana State Employees' Retirement System (LASERS) proposes amendment in part and repeal in part of provisions contained in Chapter 1 Part I of LAC Title 58. Seven definitions in Section 101 are recommended for repeal, as they are unused in the Part or are already defined in statutory law. Sections 103 and 105 are recommended for repeal in their entirety because they are unneeded. Section 107 is recommended for repeal because it is unsuited for the LASERS appeal process. The proposed Rule changes comply with and are enabled by R.S. 11:515.

#### Title 58

#### RETIREMENT

#### Part I. Louisiana State Employees' Retirement System Chapter 1. General Provisions

#### §101. Definitions

A. Wherever in these regulations the masculine is used, it includes the feminine and vice versa. Wherever the singular is used, it includes the plural and vice versa. The following definitions shall apply to all regulations promulgated under Part I, unless the usage clearly indicates another meaning.

*Active Member*—a member of the Louisiana State Employees' Retirement System who is in state service.

*Active Member Trustees*—those members of the board of trustees of the Louisiana State Employees' Retirement System who are active employees, or participating in DROP.

*Board of Trustees* or *Board*—the board of trustees of the Louisiana State Employees' Retirement System.

*Director*—the executive director of the Louisiana State Employees' Retirement System.

*DROP*—Deferred Retirement Option Plan.

*Inactive Member*—a member who is out of state service but is not retired and has left his contributions in the system.

*LASERS*—the Louisiana State Employees' Retirement System.

*Retired Member Trustees*—those members of the board of trustees of the Louisiana State Employees' Retirement System who are retired, but not those members who are participating in DROP.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:515.

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees of the State Employees' Retirement System, LR 22:373 (May 1996), amended LR 24:120 (January 1998), amended LR 43:

#### §103. Petitions for Adoption, Amendment, or Repeal of Rules; Form and Procedure

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:953 and R.S. 11:515.

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees of the State Employees' Retirement System, LR 22:373 (May 1996), repealed LR 43:

#### §105. Petitions for Declaratory Rulings on the Applicability of Agency Statutes, Rules or Orders

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:962 and R.S. 11:515.

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees of the State Employees' Retirement System, LR 22:373 (May 1996), repealed LR 43:

#### §107. Appeal to the Board of Trustees

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:515.

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees of the State Employees' Retirement System, LR 22:373 (May 1996), repealed LR 43:

#### Family Impact Statement

The proposed Rule repeal is not anticipated to have an impact on family formation, stability, or autonomy as described in R.S. 49:972.

#### Poverty Impact Statement

The proposed Rule repeal is not anticipated to have an impact on poverty as described in R.S. 49:973.

#### Small Business Analysis

The proposed Rule repeal is not anticipated to have an adverse impact on small businesses as defined in the Regulatory Flexibility Act.

#### Provider Impact Statement

The proposed Rule repeal is not anticipated to have an impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

#### Public Comments

Interested persons may submit written comments on the proposed changes until 4:30 pm, November 30, 2016 to Steve Stark, Board of Trustees for the Louisiana State Employees' Retirement System, P.O. Box 44213, Baton Rouge, LA 70804. No rule preamble has been prepared.

Cindy Rougeou  
Executive Director

#### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: General Provisions

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will have no impact on state or local government expenditures. The proposed change is part of the streamlining of the Louisiana State Employees' Retirement System (LASERS) regulatory structure. The proposed rule change removes language that is redundant or no longer needed. Seven definitions in Section 101 are recommended for repeal, since they are already defined in statutory law. The proposed rule change amends a definition to correct a typographical error. Sections 103 and 105 are recommended for

repeal since the rules have never been invoked in the twenty years since they were originally promulgated. Section 107 is being repealed because it is designed for adjudicatory hearings, which are not a part of the LASERS appeal process.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no effect on revenue collections of state or local governmental units as a result of the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The rule definitions proposed for repeal and amendment are general provisions. They do not single out specific persons or non-governmental groups, but are designed to aid persons navigating the body of LASERS rules and regulations. Sections 103 and 105 have never been invoked, which strongly implies that no particular persons or non-governmental groups would be directly affected by their proposed repeal. Section 107 affects persons seeking an appeal, but the right to appeal a LASERS action is not rendered null by its repeal.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no effect on competition or employment.

Cindy Rougeou  
Executive Director  
1610#037

Evan Brasseaux  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

Alligator Egg Collections (LAC 76:V.701)

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission do hereby advertise their intent to amend the rules for alligator egg collections in the alligator regulations.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part V. Wild Quadrupeds and Wild Birds**

**Chapter 7. Alligators**

**§701. Alligator Regulations**

A. - A.13.d. ...

14. Alligator Egg Collections

a. - i. ...

j. The alligator egg collection permittee and the landowner are responsible for the return of the percentage of live alligators to the wild described on the alligator egg collection permit. This requirement is nontransferable. Minimum return rates will be based upon the state average hatching success which is 78 percent. In no case shall the return rate be less than 10 percent at 48 inches total length. Each alligator shall be returned to the original egg collection area within a maximum time of two years from date of hatching. Each alligator shall be a minimum of 36 inches and a maximum of 60 inches (no alligator over 60 inches total length will be accepted for release) in total length and the returned sex ratio should contain at least 50 percent females. The alligator egg collection permittee/landowner are responsible for and must compensate in kind for alligator mortality which occurs for department-authorized return to

the wild alligators while being processed, stored, or transported. The department shall be responsible for supervising the required return of these alligators. A department transfer authorization permit is not required for return to the wild alligators which are delivered to the farm of origin no more than 48 hours prior to being processed for wild release. Releases back to the wild will only occur between March 15 and August 25 of each calendar year provided that environmental conditions as determined by the department are favorable for survival of the released alligators. Any farmer who owes 1000 or more alligators at 48 inches must release at least 1/4 of the total owed for that year by April 30; at least another quarter by June 15, at least another quarter by July 31; and the remainder by August 25. A farmer may do more than the required 1/4 of his releases earlier if available unscheduled days allow. Should an alligator egg collection permittee be unable to release the required number of alligators to the wild from his own stock, he shall be required to purchase additional alligators from another farmer to meet compliance with the alligator egg collection permit and these regulations, as supervised by the department. Department-sanctioned participants in ongoing studies involving survivability and return rates are exempt from these requirements during the period of the study. Violation of this Subparagraph is a class four violation as described in R.S. 56.

14.k. - 18.c. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:259, R.S. 56:262, R.S. 56:263 and R.S. 56:280.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:1070 (December 1990), amended LR 17:892 (September 1991), LR 19:215 (February 1993), LR 20:321 (March 1994), LR 26:1492 (July 2000), LR 28:1996 (September 2002), LR 30:2338 (October 2004), LR 30:2878 (December 2004), LR 31:2267 (September 2005), LR 33:677 (April 2007), LR 35:690 (April 2009), LR 37:2421 (August 2011), LR 39:2291 (August 2013), LR 42:909 (June 2016), LR 43:

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent and the final Rule, including, but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

**Family Impact Statement**

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

**Poverty Impact Statement**

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

**Provider Impact Statement**

This Rule has no known impact on providers as described in HCR 170 of 2014.

**Public Comments**

Interested persons may submit written comments on the proposed Rule to Buddy Baker, Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000 or