

~~(December 2007), LR 34:1389 (July 2008), LR 35:228 (February 2009), LR 36:312 (February 2010), LR 36:490 (March 2010), LR 36:2269 (October 2010), LR 36:2855 (December 2010), LR 37:2987 (October 2011), LR 38:354 (February 2012), LR 38:3158 (December 2012), LR 39:481 (March 2013), LR 39:2485 (September 2013), LR 40:54 (January 2014), LR 41:373 (February 2015), LR 41:651, 664 (April 2015), LR 41:1486 (August 2015), LR 41:2596, 2599 (December 2015), LR 43:~~

## **~~Chapter 19: Eligibility and Responsibilities of Post-Secondary Institutions~~**

### **~~§1903. Responsibilities of Post-Secondary Institutions~~**

#### **~~A. B.10.e. ...~~**

~~11.a. Beginning with the spring semester of 2014 through the spring semester of 2016, for a public college or university to be permitted to bill for a TOPS award amount under the provisions of Section 1903.B.6 of these rules, the college or university must include on the student fee bill line items entitled:~~

~~i. "Tuition Only" that equals the TOPS award amount listed on the fee bill;~~

~~ii. "TOPS Award Amount" as defined in Section 301; and~~

~~iii. "TOPS Stipends" for TOPS Honors and Performance Award stipends. These amounts shall not be included in the "Tuition Only" or "TOPS Award Amount" line items.~~

~~b. There shall be no reference to a tuition amount on a student's fee bill other than as provided herein.~~

#### **~~C. G.2. ...~~**

~~AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3036, R.S. 17:3042.1, 17:3041.10-3041.15, 17:3041.21-3041.26, R.S. 17:3048.1, and R.S. 17:3050.1-3050.4.~~

~~HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:645 (April 1998), amended LR 24:1914 (October 1998), LR 25:1459 (August 1999), LR 26:1998 and 2002 (September 2000), repromulgated LR 27:1864 (November 2001), amended LR 28:448 (March 2002), LR 28:775 (April 2002), LR 28:1760 (August 2002), LR 28:2333 (November 2002), LR 30:784 (April 2004), LR 30:1166 (June 2004), LR 31:40 (January 2005), LR 31:3111, 3114 (December 2005), LR 33:1340 (July 2007), LR 35:1233 (July 2009), LR 35:1490 (August 2009), LR 35:1491 (August 2009), LR 36:2857 (December 2010), LR 40:282 (February 2014), LR 40:1003 (May 2014), LR 41:667 (April 2015), LR 41:2599 (December 2015), LR 43:~~

### **~~Family Impact Statement~~**

~~The proposed Rule has no known impact on family formation, stability, or autonomy, as described in LSA-R.S. 49:972.~~

### **~~Poverty Impact Statement~~**

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

### **~~Small Business Analysis~~**

~~The proposed Rule will have no adverse impact on small businesses as described in LSA-R.S. 49:965.2 et seq.~~

### **~~Provider Impact Statement~~**

~~The proposed Rule will have no adverse impact on providers of services for individuals with developmental disabilities as described in HCR 170 of 2014.~~

### **~~Public Comments~~**

~~Interested persons may submit written comments on the proposed changes (SG17173NI) until 4:30 p.m., November 10, 2016, by email to LOSFA.Comments@la.gov or to Sujuan Williams Boutté, Ed. D., Executive Director, Office~~

~~of Student Financial Assistance, P. O. Box 91202, Baton Rouge, LA 70821-9202.~~

~~Robyn Rhea Lively  
Senior Attorney~~

## **~~FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE:~~**

### **~~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. Previous rulemaking added the AP Computer Science A course as an equivalent (substitute) course to Advance Mathematics for the purpose of meeting the TOPS core curriculum requirements effective for students graduating during the 2013-2014 high school academic year and thereafter. This proposed rule change is technical and adds this course to the list of courses that are graded on a 5.0 grading scale beginning with the graduating class of 2018. This proposed rule change also sunsets the current requirement pertaining to the way charges are reflected on students' fee bills. The changes stem from Act 18 of the 2016 Regular Legislative Session, which sets the TOPS award amount at the FY 17 level and the award amount can only be raised by an act of the legislature.~~

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

~~Revenue collections of state and local governments will not be affected by the proposed change.~~

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

~~There are no estimated effects on economic benefits to directly affect persons or non-governmental groups resulting from these measures.~~

### **~~IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)~~**

~~There are no anticipated effects on competition and employment resulting from these measures.~~

~~Robyn Rhea Lively  
Senior Attorney  
1610#015~~

~~Evan Brasseaux  
Staff Director  
Legislative Fiscal Officer~~

## **~~NOTICE OF INTENT~~**

### **~~Department of Insurance Office of the Commissioner~~**

#### **~~Regulation 105—Applications for Rate Increases (LAC 37:XIII.Chapter 147)~~**

~~The Department of Insurance, pursuant to the authority of the *Louisiana Insurance Code*, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950, et seq., hereby gives notice of its intent to adopt Regulation 105—Applications for Rate Increases.~~

~~Every insurer whose rates are subject to regulation pursuant to subpart O of part IV of chapter 4 of title 22 of the *Louisiana Revised Statutes*, comprised of R.S. 22:1451 to 1488, is required to file with the commissioner every manual, minimum, class rate, rating schedule, or rating plan and every other rating rule and every modification of any of the foregoing that it proposes to use. The commissioner of~~

insurance has the exclusive authority to accept, review, and approve any application for insurance rates or rate changes for all lines of property and casualty insurance. The purpose of Regulation 105 is to regulate the frequency of applications for rate increases in furtherance of the purposes of subpart O.

## **Title 37**

## **INSURANCE**

### **Part XIII. Regulations**

#### **Chapter 147. Regulation 105—Applications for Rate Increases**

##### **§14701. Purpose**

A. The purpose of Regulation 105 is to establish limitations on the frequency of applications for rate increases and exceptions to such limitations in furtherance of Subpart O of Part IV of Chapter 4 of Title 22 of the Louisiana Revised Statutes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1451(B), 22:1464(A)(1), and 22:1473(D).

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 43:

##### **§14705. Authority**

A. Regulation 105 is promulgated by the Commissioner of Insurance pursuant to authority granted under the Louisiana Insurance Code, R.S. 22:1 et seq, particularly 22:1473(D).

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1451(B), 22:1464(A)(1), and 22:1473(D).

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 43:

##### **§14707. Exemptions**

A. Regulation 105 shall not apply to an insurer's rate filing that would result in a zero percent overall statewide rate change or an overall statewide rate decrease for any property and casualty insurance product or program. Furthermore, Regulation 105 shall not apply to any rate filing submitted pursuant to R.S. 22:1451(D), 1464(E), or 2303.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1451(B), 22:1464(A)(1), and 22:1473(D).

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 43:

##### **§14709. Definitions**

A. For purposes of Regulation 105, the definitions detailed below shall apply.

*Rate*—as defined in R.S. 22:1452.

*Property and Casualty Insurance Product or Program*—product or program of an insurer regulated by Subpart O of Part IV of Chapter 4 of Title 22 of the Louisiana Revised Statutes, comprised of R.S. 22:1451 to 1488, except as provided by §14707.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1451(B), 22:1464(A)(1), and 22:1473(D).

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR

##### **§14711. Application for Rate Increase**

A. The commissioner will not accept an application for an overall statewide rate increase for any property and casualty insurance product or program if such application requests that the rate increase be implemented within 12 months of the effective dates of the most recently approved overall statewide rate increase. However, the commissioner, at his discretion, may accept the application if the applicant

presents compelling evidence along with an affidavit setting forth the reasons why the application should be accepted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1451(B), 22:1464(A)(1), and 22:1473(D).

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 43:

#### **Family Impact Statement**

1. Describe the effect of the proposed regulation on the stability of the family. The proposed amended regulation should have no measurable impact upon the stability of the family.

2. Describe the effect of the proposed regulation on the authority and rights of parents regarding the education and supervision of their children. The proposed amended regulation should have no impact upon the rights and authority of children regarding the education and supervision of their children.

3. Describe the effect of the proposed regulation on the functioning of the family. The proposed amended regulation should have no direct impact upon the functioning of the family.

4. Describe the effect of the proposed regulation on family earnings and budget. The proposed amended regulation should have no direct impact upon family earnings and budget.

5. Describe the effect of the proposed regulation on the behavior and personal responsibility of children. The proposed amended regulation should have no impact upon the behavior and personal responsibility of children.

6. Describe the effect of the proposed regulation on the ability of the family or a local government to perform the function as contained in the rule. The proposed amended regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the Rule.

#### **Poverty Impact Statement**

1. Describe the effect on household income, assets, and financial security. The proposed amended regulation should have no effect on household income assets and financial security.

2. Describe the effect on early childhood development and preschool through postsecondary education development. The proposed amended regulation should have no effect on early childhood development and preschool through postsecondary education development.

3. Describe the effect on employment and workforce development. The proposed amended regulation should have no effect on employment and workforce development.

4. Describe the effect on taxes and tax credits. The proposed amended regulation should have no effect on taxes and tax credits.

5. Describe the effect on child and dependent care, housing, health care, nutrition, transportation and utilities assistance. The proposed amended regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation and utilities assistance.

#### **Small Business Analysis**

The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety,

environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and estimate of the number of the small businesses subject to the proposed Rule. The proposed amended regulation should have no measurable impact upon small businesses.

2. The projected reporting, record keeping, and other administrative costs required for compliance with the proposed Rule, including the type of professional skills necessary for preparation of the report or record. The proposed amended regulation should have no measurable impact upon small businesses.

3. A statement of the probable effect on impacted small businesses. The proposed amended regulation should have no measurable impact upon small businesses.

4. Describe any less intrusive or less costly alternative methods of achieving the purpose of the proposed Rule. The proposed amended regulation should have no measurable impact on small businesses; therefore, will have no less intrusive or less cost alternative methods.

#### **Provider Impact Statement**

1. Describe the effect on the staffing level requirements or qualifications required to provide the same level of service. The proposed amended regulation will have no effect.

2. The total direct and indirect effect on the cost to the provider to provide the same level of service. The proposed amended regulation will have no effect.

3. The overall effect on the ability of the provider to provide the same level of service. The proposed amended regulation will have no effect.

#### **Public Comments**

All interested persons are invited to submit written comments on the proposed regulation. Such comments must be received no later than November 20, 2016, by 4:30 p.m. and should be addressed to Lynette Roberson, Louisiana Department of Insurance, and may be mailed to P.O. Box 94214, Baton Rouge, LA 70804-9214, faxed to (225) 342-1632, or emailed to [lroberson@ldi.la.gov](mailto:lroberson@ldi.la.gov). If comments are to be shipped or hand-delivered, please deliver to Poydras Building, 1702 North 3<sup>rd</sup> Street, Baton Rouge, LA 70802.

James J. Donelon  
Commissioner

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Regulation 105—Applications for Rate Increases**

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

The proposed regulation will not result in costs or savings to the state or local governmental units. The purpose of Regulation 105 is to regulate the frequency of applications for rate changes for all lines of property and casualty insurance. The commissioner will not accept an application for an overall statewide rate increase for any property and casualty insurance product if such application requests that the rate increase be

implemented within 12 months of the effective date of the most recently approved rate. This regulation shall not apply to an insurer's rate filing that would result in a zero percent overall statewide rate change or an overall statewide rate decrease or filings submitted pursuant to R.S. 22:1451(D), 1464(E), or 2303.

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

The proposed regulation will have no impact on state or local governmental revenues.

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

The proposed regulation limits the frequency of applications for rate increases for all lines of property and casualty insurance products. The regulation will reduce rate increases to no more than once every 12 months.

#### **IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed regulation will have no impact upon competition and employment in the state.

Denise Brignac  
Deputy Commissioner  
1610#033

Evan Brasseaux  
Staff Director  
Legislative Fiscal Office

### **~~NOTICE OF INTENT~~**

#### **~~Office of the Governor Division of Administration Office of State Lands~~**

#### **~~Granting of Rights of Way to Corporations or Individuals (LAC 43:XXVII.2701)~~**

~~Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 41:1173, that the Office of State Lands proposes to amend Chapter 27 to increase the fees associated with pipeline rights of way. The Office of State Lands currently charges \$25, \$35, and \$45 for the three classes of pipeline that traverse State property. The Office of State Lands intends to double these rates, bringing Louisiana's rates closer to those of neighboring states.~~

#### **~~Title 43~~**

### **~~NATURAL RESOURCES~~**

#### **~~Part XXVII. State Lands~~**

#### **~~Subpart 2. Use and Management of State Lands~~**

#### **~~Chapter 27. Rights of Way~~**

#### **~~§2701. Granting Rights of Way to Corporations or Individuals~~**

##### **~~A. L. ...~~**

##### **~~M. Fees for permits shall be as follows:~~**

~~1. Class 1. Pipe 2 inches up to 19 inches outside diameter with a minimum of 75 feet right of way during construction to revert to 35 after construction is completed with the additional right of ingress and egress for the purpose of maintenance, repairs, removal or modification \$50 per rod.~~

~~2. Class 2. Pipe 19 inches up to 36 inches outside diameter with a maximum of 100 feet right of way during construction to revert to 50 feet after construction is completed with the additional right of ingress and egress for the purpose of maintenance, repairs, removal or modification \$70 per rod.~~