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John Bel Edwards, Governor
Ava Dejoie, Secretary

Office of the Secretary

October 10, 2019

Senator John A. Alario, Jr.
President of the Senate
P.O. Box 94183
Baton Rouge, LA 70804

Via Email to: APA.SenatePresident@legis.la.gov

Electronic Mail - Delivery Receipt Requested

Dear Senator Alario:

The Louisiana Workforce Commission has initiated the rulemaking process to promulgate a rule relative to submission of rulemaking petitions by interested parties, as required by La. R.S. 49:953(C)(1) of the Administrative Procedure Act. The proposed rule establishes the information required for an interested party to submit a petition that seeks an amendment, repeal or promulgation of a rule, and describes how such submission will be handled by the Louisiana Workforce Commission. The following documents are contained in this packet:

- Notice of Intent
- Proposed Rule
- Family Impact Statement
- Poverty Impact Statement
- Small Business Analysis
- Provider Impact Statement
- Solicitation of Comments
- Fiscal and Economic Impact Statement

The Louisiana Workforce Commission is submitting the Notice of Intent to the Office of the State Register today for publication in the October 20, 2019 edition of the *Louisiana Register*. In the event you have any questions or need additional information, please contact me directly at adejoie@lwc.la.gov or 225.342.3001.

Yours truly,

A handwritten signature in blue ink, appearing to read "Ava M. Dejoie".

Ava M. Dejoie
Secretary

cc: Chair, House Labor and Industrial Relations Committee
Via Email: APA.H-LIR@legis.la.gov
Chair, Senate Labor and Industrial Relations Committee
Via Email: APA.S-L&IR@legis.la.gov
Speaker, House of Representatives
Via Email: APA.HouseSpeaker@legis.la.gov
Editor, *Louisiana Register*
Via Email: Reg.Submission@la.gov

NOTICE OF INTENT

Louisiana Workforce Commission

**Interested Party Petitions
(LAC 40:XIX.301)**

RECEIVED

OCT 10 2019

**OFFICE OF THE
STATE REGISTER**

Under the authority of and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., specifically R.S. 49:953(C)(1), and through the authority granted in R.S. 36:304, notice is hereby given that the Workforce Commission proposes to adopt LAC 40:XIX.301. The proposed Rule sets forth the procedure that interested parties shall follow when petitioning the Louisiana Workforce Commission to promulgate, amend, or repeal any rule.

Title 40
LABOR AND EMPLOYMENT

Part XIX. Louisiana Workforce Commission

Chapter 3. General Rules

§301. Interested Party Petitions

- A. Any interested person may petition the secretary of the Workforce Commission requesting the adoption, amendment, or repeal of a rule.
- B. A petition for adoption, amendment, or repeal of a rule shall be styled as such and shall include:
1. the petitioner's name, mailing address, email address, and original signature;
 2. the specific text or a description of the proposed language desired for amendment or adoption of a rule, or the specific rule and language identified for repeal; and
 3. justification for the proposed action with a description of the intended effect.
- C. The secretary of the Workforce Commission may deny any petition for adoption, amendment, or repeal of a rule that does not conform to the requirements of this section.
- D. After submission of a petition pursuant to this section, within 90 days of receipt, the secretary of the Workforce Commission either shall deny the petition in writing stating the reasons for denial, or shall initiate rulemaking proceedings in accordance with the Louisiana Administrative Procedure Act. The secretary retains sole discretion to grant or deny a petition.
- E. Nothing herein shall be construed to require that the secretary of the Workforce Commission, in granting a petition for adoption, amendment, or repeal of a rule, adopt or employ the specific form or language requested by the petitioner, provided that the Workforce Commission's actions give effect to the substance and intent of the petition.
- F. The rulemaking petition shall be submitted by certified mail and addressed to:

Office of the Secretary, Louisiana Workforce Commission
Re: Rulemaking Petition
P.O. Box 94094
Baton Rouge, LA 70804-9094

AUTHORITY NOTE: Promulgated in accordance with RS 36:304 and 49:953 et seq.
HISTORICAL NOTE: Promulgated by Workforce Commission, Office of the Secretary, LR 45:

Family Impact Statement

Implementation of this Rule should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on the six criteria set forth in R.S. 49:972(B).

Poverty Impact Statement

This Rule will have no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This Rule's impact on small businesses has been considered in accordance with R.S. 49:965.6, and it is estimated that the Rule will have negligible impact on small businesses as defined in the Regulatory Flexibility Act.

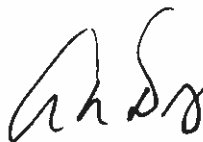
Provider Impact Statement

This Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session.

Public Comments

All interested persons are invited to submit written comments via U.S. Mail to Robert Roux, Executive Counsel, P.O. Box 94094, Baton Rouge, LA 70804-9094. Written comments may also be hand-delivered to Robert Roux, Executive Counsel, at 1001 N. 23rd Street, Baton Rouge, LA 70802. All written comments are

required to be signed by the person submitting the comments, dated, and received on or before 4:30 p.m. on November 9, 2019.



Ava M. Dejoie
Secretary



FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

Person Preparing Statement: Danelle Gilkes Dept.: LA Workforce Commission
Phone: (225) 342-3531 Office: Office of the Secretary
Return Address: P.O. Box 94094 Rule Title: Interested Party Petitions
Baton Rouge, LA
70804-9094 Date Rule Takes Effect: Upon promulgation

SUMMARY
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

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

There are no expected implementation costs or savings to state or local governmental units as a result of this proposed rule.

In compliance with R.S. 49:953(C)(1), the proposed rule codifies procedures for an interested person to petition the Workforce Commission to request the adoption, amendment, or repeal of a rule. The rule sets forth the necessary information that must be contained in a petition, how the petition should be submitted, and explains how the Workforce Commission will address such petitions.

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

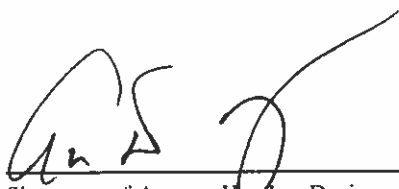
Implementation of the proposed changes will have no effect on revenue collections of state or local governmental units.

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

The proposed rule is not anticipated to create costs or economic benefits for directly affected persons or nongovernmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule has no known effect on competition and employment.



Signature of Agency Head or Designee

AVA DEIOJE, SECRETARY
Typed Name & Title of Agency Head or Designee

10/4/19

Date of Signature



Legislative Fiscal Officer or Designee

10/7/19

Date of Signature

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

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The rule is proposed for adoption to set forth a procedure for petitions to be submitted to the Workforce Commission by interested persons in compliance with R.S. 49:953(C)(1). The rule sets forth the necessary information that must be contained in a petition, how the petition should be submitted, and explains how the Workforce Commission will address such petitions.

- B. Summarize the circumstances, which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

This rule is required by R.S. 49:953(C)(1).

- C. Compliance with Act 11 of the 1986 First Extraordinary Session

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

The proposed rule change is not expected to result in any increase in the expenditure of funds.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) _____ Yes. If yes, attach documentation.

(b) _____ NO. If no, provide justification as to why this rule change should be published at this time

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 20	FY 21	FY 22
Personal Services	0	0	0
Operating Expenses	0	0	0
Professional Services	0	0	0
Other Charges	0	0	0
Equipment	0	0	0
Major Repairs & Constr.	0	0	0
TOTAL	0	0	0
POSITIONS (#)	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

This is not applicable.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 20	FY 21	FY 22
State General Fund	0	0	0
Agency Self-Generated	0	0	0
Dedicated	0	0	0
Federal Funds	0	0	0
Other (Specify)	0	0	0
TOTAL	0	0	0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

This is not applicable.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

No additional costs or savings to local governmental units is anticipated.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

This is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 20	FY 21	FY 22
State General Fund	0	0	0
Agency Self-Generated	0	0	0
Dedicated Funds*	0	0	0
Federal Funds	0	0	0
Local Funds	0	0	0
TOTAL	0	0	0

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

This is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

- A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

This is not applicable.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

This is not applicable.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

This is not applicable.