

NOTICE OF INTENT

Workforce Commission Office of the Secretary

Interested Party Petitions (LAC 40:XIX.301)

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 RULE TITLE: Interested Party Petitions

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT 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 NONGOVERNMENTAL 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.

Ava DeJoie
Secretary
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Evan Brasseaux
Staff Director
Legislative