

Jeff Landry  
Governor



Susan Bonnett Bourgeois  
Secretary

LOUISIANA ECONOMIC DEVELOPMENT

December 2, 2024

**RE: Electronic Meeting & Disability Accommodations – Summary Report**

To Whom It May Concern:

Louisiana Economic Development hereby announces its plan to proceed with rule-making by finalizing the Electronic Meeting & Disability Accommodations Rules, originally published as a Notice of Intent in the October 20, 2024 *Louisiana Register* on pages 1517-1518.

A public hearing was held on November 25, 2024. No members of the public attended and there were no written comments received.

No further changes have been made to the proposed rule.

Subject to the legislative oversight by the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs, LED intends to submit, for final publication, a Rule in the January 20, 2025 *Louisiana Register*.

Should you have any questions or concerns, please contact me at (225) 342-3000.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leticia Johnson", written over a horizontal line.

Leticia Johnson,  
Staff Attorney

cc: Senate, Committee on Commerce, Consumer Protection, and International Affairs  
House of Representatives, Committee on Commerce

each failure to comply. Each day on which a violation occurs is a separate offense. LDAF is unable to determine the number of civil penalties that may be collected.

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

The proposed rule establishes the requirements that any person conducting timber harvesting in Louisiana must have a written contract or agreement if the landowner intends to cut five acres or more, to have a written contract or agreement. Failure to comply may result in a civil penalty of up to \$5,000. There are no estimated costs or economic benefits to directly affected persons, small businesses, or non-governmental groups for establishing an agreement for conducting timber harvesting.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There are no anticipated impacts on competition and employment as a result of the proposed rule change.

Dane Morgan  
Assistant Commissioner  
2410#017

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Officer

**RULE**  
**NOTICE OF INTENT**

**Louisiana Economic Development  
Office of the Secretary**

**Administrative and Miscellaneous Provisions  
(LAC 13:VII Chapter 1)**

Louisiana Economic Development (LED), pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 36:104, 42:14(E), 42:17.2 (E), and 42:17.2.1(B), ~~propose to adopt~~ **S** rules relative to Louisiana's open meetings law.

Act 393 of the 2023 Regular Session amended R.S. 42:17.2 and enacted R.S. 42:14(E) and 17.2.1 of Louisiana's Open Meetings law to permit certain, eligible public bodies to conduct its open meetings via electronic means (e.g. videoconference or teleconference.) Regardless of its eligibility status, electronic or alternate participation are required in open meetings as an ADA accommodation for people with disabilities. The purpose of the ~~proposed~~ Rule is therefore to promulgate rules to allow for electronic or alternate participation in open meetings, as required by R.S. 42:14 E (4), 42:17.2 and 42:17.2.1(B).

**Title 13**

**ECONOMIC DEVELOPMENT**

**Part VII. Administrative and Miscellaneous Provisions**

**Chapter 1. Open Meetings via Electronic Means Policy**

**§101. Agency Eligibility**

A. Louisiana Economic Development (LED), meets the criteria pursuant to Act 393 of the 2023 Regular Legislative Session to be eligible to conduct open public meetings via electronic means.

1. is a state agency as defined by R.S. 49:951;
2. has powers, duties, or functions that are not limited in scope to a particular political subdivision or region;
3. conducts at least six regularly scheduled meetings in a calendar year; and
4. is not one of the agencies identified by R.S. 42:17.2(I) to which open meetings via electronic means shall not apply.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 42:17.2

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, LR 51:

**§103. Postings Prior to Meeting via Electronic Means**

A. At least 24 hours prior to the meeting, LED shall post the following on the agency's website at [www.opportunitylouisiana.gov](http://www.opportunitylouisiana.gov):

1. meeting notice and agenda; and
2. detailed information regarding how members of the public may:
  - a. participate in the meeting via electronic means, including the applicable videoconference link and/or teleconference phone number; and
  - b. submit written comments regarding matters on the agenda prior to the meeting

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, R.S. 42:14(E) and R.S. 42:17.2

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, LR 51:

**§105. Electronic Meeting Requirements and Limitations**

A. For any meeting conducted via electronic means, LED shall ensure compliance with all requirements outlined in R.S. 42:17.2(C).

B. LED shall not conduct any more than one-third of its open meetings, in a calendar year, via electronic means, and will only conduct successive meetings via electronic meetings as needed.

C. To the extent practicable, LED shall publish a schedule of its meetings indicating which upcoming meetings will be conducted via electronic means and which will be conducted only in person meetings.

D. All participating members of LED whether participating from the anchor location or via electronic means, shall be counted for the purpose of establishing a quorum and may vote.

E. An online archive of any open meetings conducted via electronic means shall be maintained and available for two years on LED's website at [www.opportunitylouisiana.gov](http://www.opportunitylouisiana.gov).

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, R.S. 42:14(E) and R.S. 42:17.2.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, LR 51:

**§107. Disability Accommodations**

A. Although an open meeting may be scheduled as in-person, LED is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.

B. People with disabilities may request access, in advance of scheduled meetings, for participation in the public meetings via electronic means for LED, or for any public body within LED.

C. People with disabilities are defined as any of the following:

1. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);
2. a designated caregiver of such a person; or
3. a participant member of LED or any public body within LED, with an ADA-qualifying disability.

D. LED shall ensure that the written public notice for an open meeting, as required by R.S. 42:19, includes the name, telephone number and email address of the designated representative to whom a disability accommodation may be submitted.

E. The designated LED representative shall provide the requestor with the accommodation, including the teleconference and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

F. Participation via electronic means shall count for purposes of establishing quorum and voting.

AUTHORITY NOTE: with R.S. 36:104, R.S. 42:14(E), R.S. 42:17.2, and R.S. 47:17.2.1.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, LR 51:

#### Family Impact Statement

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

#### Poverty Statement

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

#### Small Business Analysis

The proposed Rule should have no adverse impact on small business as defined in the Regulatory Flexibility Act.

#### Provider Impact Statement

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

#### Public Comments

Interested persons should submit written comments on the proposed Rules to Leticia Johnson, Louisiana Department of Economic Development, 617 North 3<sup>rd</sup> Street, 11<sup>th</sup> Floor, Baton Rouge, LA 70802 or via email to Leticia.Johnson@la.gov. All comments must be received no later than close of business day, November 22, 2024.

#### Public Hearing

A meeting for the purpose of receiving the presentation of oral comments on the Notice of Intent will be held at 10 a.m. on November 25, 2024 in the La Belle Conference Room at the LaSalle Building, 617 North 3rd Street, Baton Rouge, LA 70802.

Anne G. Villa  
Deputy Secretary

### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

**RULE TITLE: Administrative and Miscellaneous Provisions**

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

The purpose of this proposed rule is to implement the provisions of La. R.S. 42:14(E) and 42:17.2 enacted by ACT 393 of the 2023 Regular Session of the Louisiana Legislature. La. R.S. 42:14(E) requires agencies (with certain exceptions) to provide electronic or alternate participation in open meetings as an ADA accommodation for people with disabilities. Additionally, La. R.S. 42:17.2 was amended to permit certain, eligible public bodies and agencies to conduct open meetings via electronic means (e.g., videoconference or teleconference).

Louisiana Economic Development's implementation costs are expected to be minimal and the agency currently has sufficient funding to implement the proposed rule

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

There is currently no estimated impact on revenue collections of LED or local governmental units.

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

There are no anticipated costs to directly affected persons, small businesses, or non-governmental groups. To the extent someone is able to attend a meeting via electronic means that might not otherwise be able to, an economic impact may result.

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

The proposed rule changes are not anticipated to have a material effect on competition and employment.

Anne G. Villa  
Deputy Secretary  
2410#069

Ben Vincent  
Chief Economist  
Legislative Fiscal Office

### NOTICE OF INTENT

#### Board of Elementary and Secondary Education

Advisory Groups and Remote Participation  
(LAC 28:I.503, 505, and 507, LAC 28:XI.103,  
LAC 28:LXV.109, LAC 28:CXV.1319, and  
LAC 28:CLXVII.1101)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) proposes to amend LAC 28:I in *BESE/8(g) Operations*, LAC 28:XI in *Bulletin 111—The Louisiana School, District, and State Accountability System*, LAC 28:LXV in *Bulletin 106—Agriculture Education Content Standards Curriculum Framework*, LAC 28:CXV *Bulletin 741—Louisiana Handbook for School Administrators*, and LAC 28:CLXVII in *Bulletin 140—Louisiana Early Childhood Care and Education Network*. The proposed amendments align BESE policy with Act 393 of the 2023 Regular Legislative Session. The revisions adopt requirements to provide accommodations, upon request, to persons with disabilities to facilitate participation in advisory group meetings. Further amendments revise policy regarding LDOE and BESE advisory group membership and meetings.

#### Title 28

#### EDUCATION

#### Part I. BESE/8(g) Operations

#### Subpart 1. Board of Elementary and Secondary Education

#### Chapter 5. Organization

#### §503. Advisory Councils

A. - C.2.c.ii. ...

3. Superintendents' advisory council:

a. ...

b. membership—23 members as follows:

C.3.b.i. - F.8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:6(A)(15), 17:11, 17:24.4, and 42:19.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:416 (March 2008).