

ii The appointed actuary shall disclose, in the Regulatory Asset Adequacy Issues Summary, the impact of the insufficiency of assets to support the payment of benefits and expenses and the establishment of statutory reserves during one or more interim periods; and

iii. the appointed actuary shall annually opine for all policies subject to this regulation as to whether the mortality rates resulting from the application of X meet the requirements of Paragraph B.3. This opinion shall be supported by an actuarial report, subject to appropriate Actuarial Standards of Practice promulgated by the Actuarial Standards Board of the American Academy of Actuaries. The X factors shall reflect anticipated future mortality, without recognition of mortality improvement beyond the valuation date, taking into account relevant emerging experience;

B.4. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.22:3, 22:163, 22:168 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:2552 (October 2005), amended LR 50:1160 (August 2024).

Timothy J. Temple  
Commissioner

2408#043

## RULE

### Department of State Office of the Secretary of State

#### Determination of Cure Sufficiency (LAC 31:I.307)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:953 et seq.) and through the authority granted in R.S. 18:1317 that the Department of State has adopted a Rule to provide a uniform and standardized process for the review and curing or rejection of deficient absentee by mail ballots by Parish Board of Election Supervisors. This Rule is hereby adopted on the day of promulgation.

### Title 31 ELECTIONS

#### Part I. Election Process

#### Chapter 3. Opportunity to Cure Deficiencies in Absentee by Mail Ballots

##### §307. Determination of Cure Sufficiency

A. Any ballot identified with a deficiency pursuant to this Chapter, regardless of whether the voter appeared to cure or did not appear, shall be presented to the Parish Board of Election Supervisors for final determination of cure sufficiency or rejection of deficient ballots during the tabulation and counting of absentee by mail and early voting ballots.

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:1317.

HISTORICAL NOTE: Promulgated by the Department of State, Office of the Secretary of State, LR 50:1160 (August 2024).

Nancy Landry  
Secretary of State

2408#044

## RULE

### Department of Transportation and Development Professional Engineering and Land Surveying Board

#### Boundary Surveys—Standards of Practice (LAC 46:LXI.2903, 2905, 2910 and 2913)

Under the authority of the Louisiana professional engineering and land surveying licensure law, R.S. 37:681 et seq., and in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., the Professional Engineering and Land Surveying Board has adopted LAC 46:LXI.2910 and amended its rules contained in LAC 46:LXI.2903, 2905 and 2913.

This is an adoption of a new rule, as well as a revision of existing rules under which LAPELS operates. The new Rule provides for DOTD right-of-way surveys. The revision updates terminology for boundary surveys and clarifies surveying closure requirements for small tracts. This Rule is hereby adopted on the day of promulgation.

### Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part LXI. Professional Engineers and Land Surveyors Chapter 29. Standards of Practice for Boundary Surveys

##### §2903. Definitions

A. Any terms not specifically defined herein shall be as defined in the most current publication of *Definitions of Surveying and Associated Terms* as published by the National Society of Professional Surveyors. For the purpose of this Chapter, all the definitions listed that differ from any other source are to be interpreted as written herein.

\*\*\*

*Right-of-Way*—any strip or area of land, including surface, overhead, or underground, encumbered by a servitude. Rights are typically granted by deed for access or for construction, operation and/or maintenance purposes, according to the terms of the grant.

\*\*\*

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 16:1064 (December 1990), amended LR 22:713 (August 1996), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1042 (July 2001), LR 30:1725 (August 2004), LR 37:2414 (August 2011), LR 50:1160 (August 2024).

##### §2905. Classification of Boundary Surveys

A. Types of Boundary Surveys. Four types of boundary surveys, which relate to or define property boundaries, are regulated by these standards of practice. These are property boundary surveys, route surveys, DOTD right-of-way surveys and mineral unitization surveys.

B. - B.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 16:1065

(December 1990), amended LR 22:714 (August 1996), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1043 (July 2001), LR 30:1726 (August 2004), LR 37:2415 (August 2011), LR 44:627 (March 2018), LR 50:1160 (August 2024).

### **§2910. DOTD Right-of-Way Survey**

#### **A. Definition**

*DOTD Right-of-Way Survey*—a survey for determining the route of a proposed public road or other linear facilities in order for the Department of Transportation and Development or another governmental agency to acquire ownership of real property, or a public servitude or easement, from the property owner being crossed.

**B. Scope and Product.** A DOTD right-of-way survey shall, as a minimum, consist of the following elements.

1. The professional land surveyor shall utilize sufficient title information and research as needed to define the tract boundaries.

2. The professional land surveyor shall locate sufficient evidence, on the ground, to determine the location of all boundary lines that will be crossed by the real property, or the proposed public servitude or easement, to be acquired. Installation of new monuments is not required when defining the limits of the public servitude or easement to be acquired; however, subsequent to completion of construction of the public road or other linear facilities, installation of right-of-way monuments is required when defining the limits of the real property acquired.

3. The professional land surveyor shall prepare a plat(s) or map(s) for those tracts being crossed, showing the alignment of the proposed route and the length of the real property to be acquired or the proposed public servitude or easement across the tract. These plats or maps shall be prepared in compliance with those requirements for property boundary survey plats or maps that are specifically contained in §2907.G.1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 13, 14 and 15. These final plats or maps issued to the Department of Transportation and Development or other governmental agency shall contain a statement by the professional land surveyor certifying its authenticity (that it represents his/her survey) and stating that the DOTD right-of-way survey complies with the applicable standards of practice as stipulated in this Chapter. Sufficient information to re-establish the real property (or public servitude or easement) acquired, including any found monuments, must be shown at a suitable scale or in a separate detail on each plat or map. These plats or maps shall be known as DOTD right-of-way maps.

4. The right-of-way monuments installed subsequent to completion of construction of the public road or other linear facilities define the limits of the real property acquired. The right-of-way monuments shall be installed in accordance with the current Department of Transportation and Development standard specifications for right-of-way monuments. The professional land surveyor shall prepare a

plat(s) or map(s) showing the alignment of the route and the length of the real property acquired as shown on the corresponding DOTD right-of-way map, but in doing so shall be exempt from requirements contained in Paragraph 2 of Subsection B. These plats or maps shall be prepared in compliance with those requirements for property boundary survey plats or maps that are specifically contained in §2907.G.1, 2, 3, 4, 6, 7, 9, 13, 14 and 15. These final plats or maps issued to the Department of Transportation and Development or other governmental agency shall contain a statement by the professional land surveyor certifying its authenticity (that it represents his/her survey) and stating that the right-of-way monuments were installed and comply with the applicable standards of practice as stipulated in this Chapter. Sufficient information to re-establish the real property acquired, including any found monuments, must be shown at a suitable scale or in a separate detail on each plat or map. These plats or maps shall be known as DOTD right-of-way monument location maps.

5. It is not required that the professional land surveyor who prepared the DOTD right-of-way map referenced in Paragraph 3 of Subsection B be the same professional land surveyor who prepared the DOTD right-of-way monument location map referenced in Paragraph 4 of Subsection B.

6. If requested by the Department of Transportation and Development or other governmental agency, the professional land surveyor shall prepare a legal description of the real property to be acquired and the proposed public servitude or easement for each tract crossed by the proposed public road or other linear facility. The description shall describe the alignment and length of the real property to be acquired and the proposed public servitude or easement and shall comply with those requirements for legal descriptions for property boundary surveys that are specifically contained in §2907.H.6-9. The Department of Transportation and Development and other governmental agencies may require an additional electronic file that generates the legal description, which shall also comply with this Paragraph.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:688.

**HISTORICAL NOTE:** Promulgated by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 50:1161 (August 2024).

### **§2913. Positional Accuracy Specification and Positional Tolerances**

#### **[Formerly §2909]**

A. If radial survey methods, global positioning systems (GPS) or other acceptable technologies or procedures are used to locate or establish points on the boundary survey, the professional land surveyor shall apply acceptable surveying procedures in order to assure that the allowable positional accuracy and/or positional tolerance of such points are not exceeded. Any conversion from meters to feet shall use U.S. Survey Feet.

Condition	A	B	C	D	Remarks and Formula
	Urban Business District	Urban	Suburban	Rural	
Unadjusted Closure (maximum allowable)	1:15,000	1:10,000	1:7,500	1:5,000	Traverse Loop or between Control Monuments (closed traverse)
Angular Closure (maximum allowable)	$10''\sqrt{N}$	$15''\sqrt{N}$	$25''\sqrt{N}$	$30''\sqrt{N}$	N = Number of Angles in Traverse (closed traverse)
Accuracy of Bearing	$\pm 15$ Sec.	$\pm 20$ Sec.	$\pm 30$ Sec.	$\pm 40$ Sec.	In Relation to Source (closed traverse, radial or GPS)
Linear Distances Accurate to: (maximum allowable)	0.05 ft $\pm$ $\pm 0.05$ ft per 1,000 ft	0.05 ft $\pm$ $\pm 0.1$ ft per 1,000 ft	0.07 ft + $\pm 0.15$ ft per 1,000 ft	0.1 ft + $\pm 0.2$ ft per 1,000 ft	Applies when the Distance is not part of a Closed Traverse (radial or GPS)
Positional Tolerance and Positional Accuracy of any Monument (maximum)	$0.1' + AC/15,000$	$0.1' + AC/10,000$	$0.1' + AC/7,500$	$0.2' + AC/5,000$	AC = Length of Any Course* (closed traverse, radial or GPS)
Calculation of area - accurate and carried to nearest _____ (decimal place) of an acre (closed traverse, radial or GPS)	0.001 0.001 0.01 0.1	0.001 0.001 0.01 0.1	0.001 0.01 0.1 0.2	0.001 0.01 0.1 0.3	To 1 acre To 10 acres To 100 acres To 1,000 acres
Elevations for Boundaries Controlled by Tides, Contours, Rivers, etc. Accurate to:	0.2 ft.	0.3 ft.	0.4 ft.	0.5 ft.	Based on Accepted Local Datum (closed traverse, radial or GPS)
Location of Improvements, Structures, Paving, etc. (Tie Measurements)	$\pm 0.1$ ft.	$\pm 0.2$ ft.	$\pm 0.5$ ft.	$\pm 1$ ft.	(closed traverse, radial or GPS)
Adjusted Mathematical Closure to Survey (Minimum)**	1:50,000	1:50,000	1:50,000	1:50,000	(closed traverse, radial or GPS)

\*Short courses in classes "A" and "B" may generate positional errors of less than 0.01 feet. A minimum course distance of 200 feet shall be used in calculating positional error.

\*\*Smaller tracts may result in a closure less than 1:50,000. Professional land surveyor shall minimize closure constrained by precision of bearing (nearest second of angle) and distance (one hundredth of a foot).

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 16:1068 (December 1990), amended LR 22:716 (August 1996), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1046 (July 2001), LR 30:1729 (August 2004), LR 37:2419 (August 2011), LR 44:628 (March 2018), LR 50:1161 (August 2024).

Donna D. Sentell  
Executive Director

2408#013

## RULE

### Department of Civil Service Board of Ethics

#### Food and Drink Limit (LAC 52:I.1703)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Department of Civil Service, Board of Ethics, has amended the rules for the Board of Ethics to bring the rules

into compliance with current statutory provisions and Section 1115.1C of the Code of Governmental Ethics. This Rule is hereby adopted on the day of promulgation.

## Title 52. ETHICS

### Part 1. Board of Ethics

#### Chapter 17. Code of Governmental Ethics §1703. Food and Drink Limit

A. In accordance with R.S. 42:1115.1(C), beginning on July 1, 2024, the limit for food, drink or refreshments provided in R.S. 42:1115.1A and B is \$79.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:1115.1.

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 36:304 (February 2010), amended LR 36:1466 (July 2010), LR 38:1951 (August 2012), LR 39:3062 (November 2013), LR 40:1678 (September 2014), LR 41:1262 (July 2015), LR 44:1237 (July 2018), LR 45:868 (July 2019), LR 46:892 (July 2020), LR 47:852 (July 2021), LR 48:1904 (July 2022), LR 49:1207 (July 2023), LR 50:1162 (August 2024).

Kathleen M. Allen  
Ethics Administrator

2408#039