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# Executive Orders

## EXECUTIVE ORDER EWE-76-1

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*(Editor's Note: The Office of the Governor has installed a new system of numbering Executive Orders, terminating, with No. 94, the old system of simply assigning "Number One" to the first issued by a Governor and proceeding serially without regard for further identification. The new method incorporates the initials of the Governor, the year of execution, and a numerical designation. Thus, EWE-76-1 represents the first Executive Order issued by Governor Edwin Edwards in 1976.)*

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WHEREAS, the Legislature of Louisiana has enacted Chapter 18 of Title 42 of the Louisiana Revised Statutes of 1950 comprising R.S. 42:1301 through R.S. 42:1303, both inclusive, whereby the State may, by contract, agree with any of its employees to defer, in part or whole, future compensation which, except for the terms of the contract, would have been payable to such employee; and

WHEREAS, the State may, by contractual agreement, acquire, from time to time, life insurance contracts or annuity contracts from life insurance companies licensed to do business in this state; and

WHEREAS, the State may enter into deferred compensation agreements with bank trustees or custodians, with investment counseling firms or with investment companies registered with the Securities Exchange Commission under the Federal Investment Company Act of 1940; and

WHEREAS, deferred compensation benefits have been made available to State employees on a very limited basis; and

WHEREAS, it is desirable to provide deferred compensation arrangements and agreements whereby State employees may participate in order to assure substantial benefits at retirement and favorable tax treatment; and

WHEREAS, it is necessary, desirable and appropriate that a single designated authority be established to negotiate for and to enter into the contracts and agreements authorized by R.S. 42:1302A and R.S.

1302B, and other statutes, and otherwise to act for and on behalf of the State and its employees; and

WHEREAS, such commission should be fully authorized to act initially for and on behalf of the State of Louisiana and its employees subject, however, to the statutory obligation of the State agency head for which the employee or employees are employed to administer such program or programs as may be determined and established by the Commission;

NOW, THEREFORE, I, EDWIN EDWARDS, by virtue of the authority vested in me as Governor of Louisiana, do hereby:

1. Create and establish The Deferred Compensation Commission for State Employees to implement and effectuate the provisions of Chapter 18 of Title 42 of the Louisiana Revised Statutes of 1950.
2. The Commission shall consist of the following member: Mr. Delton Arceneaux, 501 Chatsworth Drive, LaPlace, Louisiana 70068, who shall be Commission chairman, Mr. Ralph J. Alvarez, 3705 Kim, Box 9462, Metairie, Louisiana 70058; and Mr. S.E. "Buck" Vines, 5656 S. Leighton Drive, Baton Rouge, Louisiana. Members of the Commission shall serve at the pleasure of the Governor and any vacancy on the Commission shall be filled by appointment of the Governor.
3. The Commission is hereby authorized, directed and empowered to act for and on behalf of the State of Louisiana in implementing the provisions of Chapter 18, Title 42, of the Louisiana Revised Statutes and especially R.S. 42:1302A and R.S. 42:1302B and, in connection therewith and in addition thereto, shall be the exclusive authority to:
  - A. Enter into contracts with any employee to defer, impart or whole, future compensation which, except for the terms of the contract, would have been payable to such employee;
  - B. Acquire, execute or obtain, by contractual agreement, from time to time, life insurance contracts or annuity contracts from life insurance companies licensed to do business in this state and to enter into deferred compensation agreements with bank trustees or custodians and with investment

counseling firms and investment companies registered with the Securities Exchange Commission under the Federal Investment Company Act of 1940;

- C. Seek a ruling from the Internal Revenue Service concerning the Federal income tax consequences of participation in the deferred compensation agreements authorized by Chapter 18 of Title 42 of the Louisiana Revised Statutes of 1950;
- D. Take such further actions to carry out the objectives of the plan and the other provisions of Chapter 18, Title 42, as may be necessary or permitted by this order and State law.

I further declare that this executive order shall supersede and replace Executive Order No. 90 issued on September 2, 1975, which is hereby recalled and annulled.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 16th day of February A.D., 1976.

EDWIN EDWARDS  
Governor of Louisiana

#### EXECUTIVE ORDER EWE-76-2

WHEREAS, the provisions of Article 7, Part 2, Sections 18 through 25, of the Constitution of Louisiana, involving new principles, new concepts, and new approaches with respect to assessment, imposition, collection, exemption, and other matters relating to ad valorem taxation, have been approved by the people; and

WHEREAS, specific provisions, mandates and directives contained in the Constitution, require that the Legislature, among other things;

1. Define, by general law, bona fide agricultural, horticultural, marsh and timber lands;

2. Establish uniform criteria in order to determine, for assessment and related purposes, the fair market value of certain properties and use value of other properties;

3. Establish procedures and provide for review by the local governing authority, the Louisiana Tax Commission, and the courts in order to assure the correctness of assessments; and

4. Implement, by legislative action, the constitutional requirement that all property subject to ad valorem taxation shall be re-appraised and valued at intervals of not more than four years; and

WHEREAS, the provisions of Article 7, Part 2, of the Constitution contain other mandates to the Legislature as well as specific and implied authority for action by it with respect to property ad valorem taxes, homestead and other property exemptions, adjustments of millage, tax sales, tax assessors, and many other matters related to the complex area of ad valorem taxation or properties, real, personal and mixed; and

WHEREAS, it is necessary, proper, and expedient for competent persons, experienced and knowledgeable in those areas which involve the imposition, assessment, collection, and payment of such taxes, to formulate plans, suggestions, recommendations for transmission to and consideration by the Legislature during one or more of its future sessions;

NOW, THEREFORE, I, EDWIN W. EDWARDS, by virtue of the authority vested in me as Governor of Louisiana by the Constitution and laws of this State, hereby authorize and establish the Governor's Advisory Commission on Ad Valorem Taxation to consist of those members named or indicated on the list attached to this Executive Order as well as any others who may be appointed by me.

I authorize, request, direct, and empower said Commission to meet and give full consideration to the directives, mandates, and legislative authorizations provided for in Article 7, Part 2, of the Louisiana Constitution and to make, from time to time, its recommendations for legislative action and constitutional implementation of said article and said part.

I designate J.M. Lamkin, Jr., Tax Assessor, Bienville Parish, Temporary Chairman of this Commission until its first meeting which I now call for February 19, 1976, at 10:00 a.m., in the Governor's Press Room, Fourth Floor, State Capitol Building, Baton Rouge, Louisiana, at which time and place I request the Commission to elect such officers as it considers necessary and appropriate to carry out its functions, duties, and responsibilities.

I hereby authorize the Commission to utilize the personnel, services, and facilities of the Louisiana Legislative Council and the Louisiana State Law Institute, and

to request of and utilize such counsel, assistance, personnel, facilities, and advice as may be obtained from any and all other sources, public and private, including, but not necessarily restricted to, business, labor, and private research agencies, individuals, or organizations. The Commission is also authorized to receive grants, donations, or gifts of money or services from public or private persons and entities, to be utilized to accomplish the purposes for which it is created.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 13th day of February, 1976.

**EDWIN EDWARDS**  


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**Governor of Louisiana**

**Appointees to Governor's Ad Valorem  
Tax Study Commission**

1. Mr. J.M. Lamkin—President of the Louisiana Assessors' Association
2. Mr. Richard F. Burke—Tax Assessor, Orleans Parish
3. Mr. Charles Slay—Tax Assessor, Rapides Parish
4. Mr. Lawrence Chehardy—Tax Assessor, Jefferson Parish
5. Mr. John C. Fuchs, Jr.—President, Louisiana Savings and Loan League
6. Mr. James Graugnard—President, Louisiana Farm Bureau Federation
7. Mr. Mark H. Bonner, Jr.—Representing Louisiana Electric Cooperatives Association
8. Mr. Manning S. Broussard—Representing Police Jury Association of Louisiana
9. Mayor J. Allen Daigre—Representing Louisiana Municipal Association
10. Dr. Percy H. LeBlanc—President, Louisiana School Board Association
11. Mr. J.D. Acklin, Jr.—President, Louisiana Bankers Association
12. Mr. James A. Griffith—Representing Investor-Owned Public Utilities
13. Mrs. Fred S. Landis—President, League of Women Voters
14. Mr. C. Gordon Johnson—Chairman, Louisiana Tax Commission
15. Mr. James G. Derbes—Representing Historical Sites
16. Mr. Randy L. Ewing—Representing Louisiana Forestry Association
17. Mr. Edward W. Stagg (Designee-Fred Loy)—Representing Council for a Better Louisiana

18. Mr. Claude Leach—Chairman of the Ways and Means Committee
19. Mr. B.B. "Sixty" Rayburn—Chairman of the Finance Committee of the Senate
20. Mr. Johnny Jackson, Jr.—Representing minorities
21. Mr. Victor Bussie—Representing Labor
22. Mr. Edward Steimel (Designee — Jerome Vasocu)—Representing Louisiana Association of Business and Industry
23. Mr. M.H. "Pud" Marix—Representing industry
24. Mr. John L. Avant—Representing professions
25. Mr. Joseph P. Crist—Representing Louisiana Retailers Association
26. Mrs. Mary Zervignon—Representing the City of New Orleans
27. Mr. Robert Brooksker—Representing the Oil and Gas Industry
28. Mr. Howard L. Ledbetter—The Dow Chemical Company
29. Mr. Camille F. Gravel, Jr.—Executive Counsel to the Governor
30. Mr. Shady Wall—Representing Legislative Budget Committee

## Emergency Rules

### DECLARATION OF EMERGENCY

#### Health and Human Resources Administration Division of Family Services

The Louisiana Health and Human Resources Administration, Division of Family Services, exercised the emergency provision of the Administrative Procedures Act (R.S. 49:953 B) to make effective April 1, 1976, payment to chiropractors in the Medical Assistance Program. It is necessary to implement this program timely as Louisiana Health and Human Resources Administration was directed by Act 551 of the 1975 regular session of the Louisiana Legislature to provide for Medicaid payments to providers of chiropractic services as prescribed by 42 USC 1396d (g).

Effective April 1, 1976, the Division of Family Services is implementing a program to make payment to chiropractors for their services under the following conditions:

1. Payment will be made to chiropractors who are licensed by the state and who are certified by the Licensing and Certification Section for participation in Medicare (Title XVIII).

2. Payment will be made only for chiropractic treatment by means of manual manipulation of the spine (to correct a subluxation demonstrated by X-ray to exist) which the chiropractor is legally authorized to perform by the state (Current Procedural Terminology Code 9485). The restriction of payment for services to treatment by manual manipulation precludes payment for diagnostic X-rays taken by chiropractors.
3. Payment will be made for up to three chiropractic visits per calendar year. There is no provision for any additional visits.

All persons eligible for the Medical Assistance Program are eligible for payment in their behalf to chiropractors for services and these persons may be identified by a medical eligibility card which they receive monthly.

Notice of this change will be mailed to chiropractors eligible to participate in the program and to medical assistance recipients.

William H. Stewart, M.D.  
Commissioner

# Rules

## RULES

### Capital Area Ground Water Conservation Commission

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*(Editor's Note: The following rules were adopted on March 8, 1976, to be effective on March 20, 1976.)*

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#### Section 5.0.0.0. Rules and Regulations Requiring the Submission of Plans for New Water Wells in the Capital Area Ground Water Conservation District

R.S. 38:3076E authorized the Board of Commissioners of the Capital Area Ground Water Conservation District, which consists of the Parishes of East Baton Rouge, East Feliciana, Pointe Coupee, West Baton Rouge, and West Feliciana, "... to make, after notice and hearing and to enforce reasonable rules, regulations, or orders necessary from time to time to achieve the purpose and powers as outlined in this Act, ...".

#### Section 5.1.0.0. Purpose

The rules and regulations as stated herein were prepared in response to this authorization for the purpose of obtaining information that will be useful (1) in advising users of any potential problems and of the location of nearby wells in the same aquifer, and (2) to answer queries regarding the effects of pumping or changes in pumping rates.

This requirement for submission of plans shall not be construed in any way as a permit or as approval or disapproval by the Commission of the proposed wells.

#### Section 5.2.0.0. Rules and Regulations

Users shall submit to the Commission's office, their plans to install wells that will produce fifty thousand gallons per day or more. The plans shall include, at the minimum, the following information for each well: the depth of the well, the proposed screen setting(s), aquifer(s) to be screened, if known, proposed rate of yield, estimated daily use, and a map or sketch showing the location of the well. In an urban area, the location of the well should be described in reference to the nearest streets. All of the requested information should be submitted, if possible, at least thirty days prior to the beginning of drilling to the following address:

Capital Area Ground Water Conservation  
Commission  
P.O. Box 64526  
Baton Rouge, Louisiana 70896

#### Section 5.2.1.0. Effective Date

Plans for water wells, excluding those exempted, drilled on or after March 20, 1976, the effective date of the rules and regulations as stated herein, shall be submitted to the Commission's office.

#### Section 5.2.2.0. Exemptions

A. As provided for by R.S. 38:3073 (3), the following wells are exempt from the Commission's rules and regulations for submitting plans for new water wells in the District: (1) wells less than four hundred feet in depth, (2) wells serving less than six households, (3) wells used for bona fide agricultural or horticultural purposes, and (4) wells used for both domestic and agricultural purposes but not capable of producing fifty thousand gallons per day or more.

B. The following wells, excavations, and holes are not included in the provisions of the rules and regulations as stated herein: seismic holes; cathodic-protection holes; saline-water wells associated with secondary recovery operations; brine-injection wells; water-disposal wells; holes and excavations used in the development

and/or exploration of mineral resources, including but not limited to, gravel, salt, and sulphur; excavations and borings associated with the construction of buildings, roads, bridges, and soil boring activities.

#### Section 5.2.3.0. Information for Exempted Water Wells

The Commission will provide information listed in Section 5.1.0.0. to any user planning to install a well that is exempted in accordance with Section 5.2.2.0.A., provided the user submits to the Commission the planning information requested in Section 5.2.0.0.

#### Section 5.2.4.0. Water Well Registration

The submission of plans as required in Section 5.2.0.0. does not in any way preempt the State's rules, regulations, and procedures for water well registration as provided for in R.S. 38:3091 through 3097.

Austin F. Anthis  
Chairman

## RULES

### Board of Trustees for State Colleges and Universities

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*(Editor's Note: The following rules were adopted on February 26, 1976, to be effective March 20, 1976.)*

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## PART VII

### Faculty and Staff Personnel Policies and Procedures

#### Section 7.1 Age

##### A. Administrative Personnel

Presidents of colleges and universities, and anyone holding a position in an administrative capacity under the Board shall be retired at the age of 65 years, with the provision that a person attaining age 65 in a school year will be permitted to continue until the end of the year.

##### B. Extension – Beyond Age 65 (effective only until June 30, 1977)

1. No person shall be continued in the employment of the Board beyond the end of the fiscal year in which that person reaches the age of 65 years unless, on application made for such continuation, the Board

finds that such a person is mentally, physically, temperamentally, and morally fit to perform his duties, in which event the Board may, at its discretion, extend the employment of such person one year at a time, but not beyond the end of the fiscal year in which such person reaches the age of 68 years.

2. Any person requesting retention beyond the age of 65 years shall submit an application in writing prior to April 1 of the year in which such person would be retired.
3. All applications for extension must be supported by the concurrence and written certification by the president of the institution that, in his opinion, the person recommended is mentally, physically, temperamentally, and morally fit to continue in service and to perform his duties satisfactorily for one additional year beyond the age of 65 years, or for one year additional beyond the retirement period previously extended, together with such other pertinent information and reasons for continuing the employment as are within the knowledge of the party making the certificate. If the party making the certificate knows the facts through his own personal knowledge, he shall so state. If the recommendation for retention is based upon the recommendation of or information by a dean, department head, or other similar official having knowledge of the facts, the application shall be accompanied by a similar certificate executed by such dean, department head, or other such person. The Board shall have the right to require such other information or evidence as it deems necessary in each case.
4. All employees at the institutions under the jurisdiction of the Board who have reached the age of 65 must take and pass a physical examination showing that they are physically able to continue working in their present positions without injury to their health; written results of the examinations shall be made a part of the personnel records in the institution and must be reported to the Board.
5. All college and university presidents shall be directed immediately to abide by the present policy of the Board and shall exercise judgment in each individual request for continuation of employment after the age of 65 for one year for those employees who meet the criteria set forth by the Board;

any statement in handbooks or documents of the colleges and universities that categorically denies any employment after age 65 shall be eliminated. Remuneration for the rank of president emeritus shall be discontinued with attrition taking care of those presidents presently drawing president emeritus pay.

Off-campus supervising teachers and principals must be in full compliance with the college and university rules and regulations in order to receive this money.

Bill Junkin  
Executive Director

C. Termination of Extensions Beyond Age 65

The policy of the board which allows each college and university president to exercise his judgment in individual requests shall be continued until June 30, 1977, in accordance with present policy. On June 30, 1977, the termination of employment will be mandatory at age 65, with the provision that a person attaining age 65 in a school year will be permitted to continue until the end of the year.

**Section 7.8 Faculty Rank**

A. Rank Distribution

Special care shall be exercised in assigning faculty ranks to new appointees and in making promotions in rank from year to year. The following table provides guidelines and limitations on assignments of ranks within each institution:

Academic Rank	Range	Percentage Not to Exceed
Professor	20-35%	35%
Associate Professor	25-35%	35%

**Section 7.13 Faculties of Laboratory Schools**

B. Off-Campus Laboratory Schools

Effective the school year 1976-77, the college or university shall pay a salary to fully qualified and certified cooperating teachers in accordance with the following schedule:

- \$200 per semester for first student teacher at a given school;
- \$175 per semester for each additional student teacher at a given school;
- \$50 per semester for each additional student teacher to a maximum of \$500 for the semester at a given school.

The college or university shall pay principals of schools where student teaching is done according to the following schedule:

\$50 per semester for each cooperating teacher used in the program to a total of ten (\$500 is the maximum per semester that may be paid a principal).

**RULES**

**State Board of Elementary and Secondary Education**

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*(Editor's Note: The following rules have been in effect on an emergency basis since November 20, 1975. They were adopted permanently on February 26, 1976, to be effective March 20, 1976.)*

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**Additions to Section 5.2 of  
the Louisiana 1975-1976 Annual Program  
Plan for Adult Education**

**5.2 Adult Indo-Chinese Refugee Education Program**

All adult Indo-Chinese refugee education funds allocated to the State of Louisiana shall be used to supplement ongoing adult education programs conducted under the provisions of the Adult Education Act and provide for the initiation, development, and/or expansion of Adult Basic Education, Adult Secondary Education, and bilingual education programs for adult Indo-Chinese refugees, sixteen years of age and older who are not currently required to be enrolled in school, offering them the opportunity to receive academic instruction with emphasis on speaking, reading, writing, computational skills, services necessary to promote literacy for the purpose of enabling them to become responsible and productive members of American society, meet requirements to receive a high school equivalency diploma, and promote the integration of Indo-Chinese refugees into American society with proper respect for the preservation of their own culture and language.

**5.21 State Administration**

A maximum of 7.5 percent of the total allotment to the State may be utilized for state administrative purposes by the Bureau of Adult and Community Education of the Louisiana State Department of Education and the State Board of Elementary and Secondary Education to pay additional costs incurred in the administration of the Indo-Chinese Refugees Adult Education Program.

## 5.22 Base Allocation to Local School Systems

A minimum of eighty percent of the total allotment for adult Indo-Chinese refugee education programs to the State shall be allocated to local public school systems through a base allocation of funds computed on the number of adult Indo-Chinese refugees, age eighteen and over, settling in a local school system, as it bears percentagewise to the total number of Indo-Chinese refugees initially resettling within the State from the relocation centers. (Allocations shall be based on figures submitted to the U.S. Commissioner of Education by the Interagency Task Force on Indo-China).

The available State funds multiplied by this percentage will give the amount available to be initially allocated to the local school board.

Example:

1. In Louisiana there was an initial estimate of 1,301 adult Indo-Chinese refugees age eighteen years and over.
2. Suppose 130 is the total number of adult Indo-Chinese refugees settling within a local parish or city school system.
3. The parish or city percent then is 1,301 divided by 130 or ten percent.
4. Suppose \$80,000 is the available State funds to be allocated to all local systems in the State.
5. The local school system's allocation then would be: \$80,000 x ten percent of \$8,000.00.

It must not be assumed by any parish or city school authority that the initial allocation to a school system can automatically be increased or that expenditures made in excess of their initial allocation will be reimbursed to that system.

## 5.23 Supplemental Allocations to Local School Systems

All adult education Into-Chinese refugee education funds relinquished to the state office by a local school system which does not plan to utilize its total allocation prior to the end of the fiscal year may be reallocated to other local

school systems based on the submission of a "Supplementary Plan and Request for Allocation of Funds" (Form DE 520, Exhibit I of the Louisiana 1975-76 Annual Program Plan for Adult Education under the Adult Education Act of 1966) with a letter justifying the need for additional funds from the local superintendent.

Supplementary requests for funds shall be approved by the State Board of Elementary and Secondary Education based upon recommendation of the Bureau of Adult and Community Education, Louisiana State Department of Education.

## 5.24 Teacher Training

A maximum of 12.5% of the total state allotment may be utilized for teacher training programs specifically designed for teachers of adult Indo-Chinese refugee education programs provided sufficient funds are available after state administration, base allocations, and supplemental allocations have been approved.

Funds may be approved and utilized for teacher training purposes in accordance with the provisions of Section 309 of the Adult Education Act and as outlined in Section 5.15 of the Louisiana 1975-76 Annual Program Plan for Adult Education.

## 5.25 Use of Funds by Local School Systems

### 5.251 Eligibility to Participate

In order for a local school system to participate in the adult Indo-Chinese refugee program it must comply with the following:

- (1) meet all requirements to participate in the Adult Education Program as stipulated in Section 1.342 of the Louisiana 1975-76 Annual Program Plan for Adult Education.
- (2) certify by letter from the local superintendent to the Bureau of Adult and Community Education that all funds will be expended solely for adult education programs and services for adult Indo-Chinese refugees.



- (3) submit to the Bureau of Adult and Community Education and local assessment of the number of adult Indo-Chinese refugees eighteen years of age and older who have resettled in the parish or city school system.
- (4) certify by letter from the local Superintendent to the Bureau that priority will be given to continuation of existing programs by those local agencies and/or organizations currently providing adult Indo-Chinese refugee education services based on local education agency evaluation of those existing programs. The local superintendent is required to contact all local agencies, private and public, which might be involved in programs for Indo-Chinese refugees.
- (5) submit to the Bureau of Adult and Community Education for approval by the State Board of Elementary and Secondary Education an intent to participate in the program by completing a "Plan and Request for an Allocation of Funds" (Form DE-520) justifying projected expenditures for the fiscal year.

#### 5.252 Rate of Reimbursement

The rate of reimbursement to the local school system by the State Department of Education to support the adult Indo-Chinese refugee education program must be equal to the exact expenditures of the operational cost of the program each month, with the total amount of approved allocations.

Reimbursement of expenditures to the local school systems will be made monthly by the State Department based upon receipt and approval of a separate Form DE-506—"Monthly Report and Request for Reimbursement" justifying adult Indo-Chinese refugee education program expenditures from the local superintendent. Form DE-506 is included as Exhibit H of the Louisiana 1975-76 Annual Program Plan for Adult Education.

#### 5.2521 Local Operational Expenditures

Local school systems may use funds allocated to them for instructional costs incurred in the operation of the adult Indo-Chinese refugee education classes only.

Instructional costs in the local adult Indo-Chinese refugee education program shall consist of the following:

- (1) teachers' salaries
- (2) paraprofessionals' salaries used in an instructional capacity
- (3) employer's contribution to retirement and/or social security for instructional personnel
- (4) teacher travel (when required)
- (5) in-service education
- (6) instructional supplies, books, and materials

All local operational expenditures for the above eligible instructional costs of the adult Indo-Chinese refugee education program shall be made in accordance with the procedures set forth in Section 6.0 of the Louisiana 1975-76 Annual Program Plan for Adult Education.

#### 5.253 Records and Reports

Each local school system participating in the adult Indo-Chinese refugee education program must prepare and submit separate forms for this program to the State Department of Education for accounting expenditures and compile all program statistics each fiscal year as stipulated in Section 6.8 of the Louisiana 1975-76 Annual Program Plan for Adult Education in order to assure non-commingling of funds.

In addition, the local agency will make two copies of the identification card issued to each Indo-Chinese refugee participant keeping one of its official Adult and Community Education. The copies of these identification cards can be used to justify the total number of refugees served in the adult education program.

The Bureau of Adult and Community Education of the Louisiana State Department of Education shall be responsible for compiling all local reports into a separate composite state report to the U.S. Commissioner of Education as a part of the financial and narrative reporting requirements under the Adult Education Act and include all information requested under Section 166.67, Sub-part G, Adult Indo-Chinese Refugee Education Program.

Earl Ingram  
Director

## RULES

### Commission on Firefighting Personnel Standards and Education

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*(Editor's Note: The following rules were adopted by the Commission on Firefighting Personnel Standards and Education on January 27, 1976, to be effective on March 20, 1976.)*

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#### Approved Subjects for Certified Fire Fighter III Training\*

General Subjects	Classroom	Practical Work or Demonstrations
Fire Information Field Investigation & Report Writing (FIFI Unit A of NFPA) a. Courtroom Testifying	5	
Building Construction a. Anticipated Fire Behavior & Spread According to Type Construction & Design	4	
*Protective Breathing Apparatus (Review) a. Operational Functions of All Types b. Principles of Operations of All Types of Self Contained	1	
Fire Streams a. Types of Nozzles & Their Effect on Streams b. GPM Flow From Nozzles c. Proper Pressures d. Major Parts of a Nozzle	3	
Fire Prevention & Inspections a. Departmental Procedures for Reporting & Correcting Hazards b. Writing Inspection Reports c. Special Detail Assignments d. Inspecting Private Fire Protection Equipment & Systems e. Private Detection & Alarm Systems f. Local & State Fire Codes g. Fire Hazards & Fire Causes h. Air Handling Systems i. Storage, Inside & Outside, And Its Effect on Fire Fighting j. Water Supplies Available (Including Private) k. Potential Salvage Information	10	8

<b>General Subjects</b>	<b>Classroom</b>	<b>Practical Work or Demonstrations</b>
<b>Water Supplies</b>	2	2
a. Effects of Pipe Sizes & System Pressure		
b. Determining Rate of Flow With Charts		
c. Local System Capacities & Limitations		
d. Friction Losses in Water Mains & Hydrants		
e. Use of Pitot Tube & Gauges		
<b>Sprinklers</b>	2	2
a. Identifying Heads & Temperature Settings		
b. Identifying Type of System—Wet, Dry, Etc.		
c. Operating Valves & Testing System		
d. Reading Gauges		
e. Effectiveness & Reasons Why System Fails to Function		
<b>Fire Alarm &amp; Communications</b>	1	
a. Fire Alarm Boxes & How They Operate		
b. Codes & Procedures for Multiple Alarms		
c. Supervisory Alarm Systems		
<b>Hazardous Materials</b>	2	
a. Symbols Identifying		
b. Precautions		
<b>Fire Pumper Familiarization &amp; Operating Principles</b>	6	6
a. Operating the Pump		
b. Basic Driving & Gear Shifting Procedures		
c. Supplying Routine Hose Lays		
d. Rule of Thumb Hydraulics		
<b>Simulated Fire Command Decisions</b>	4	
a. Basic Size-up & Decision Making		
b. Basic Fire Ground Command		
c. Simulated Command of a Rescue Situation		
<b>Review, Evaluation &amp; Completion Exercises</b>	2	1
<b>TOTAL:</b>	<b>42</b>	<b>19</b>

Note: Except for those accepted under the "grandfather" provision, all others applying to become certified as a Fire Fighter III must first be certified as a Fire Fighter II.

\*Performance objectives for the Breathing Apparatus section (according to NFPA 1001) have been completed in Louisiana's Fire Fighter II certification procedures.

## **Approved Performance Evaluations for Fire Fighter III Certification**

1-1 Scope. These requirements identify the professional level of competence required of fire department members in order to become certified at their third level of progression within the fire department, i.e., Fire Fighter III.

1-2 Purpose. The purpose of these requirements is to specify, in terms of performance objectives, the minimum requirements of professional competence required for service as a Fire Fighter III.

It is not the intent to restrict any jurisdiction from exceeding these minimum requirements.

### 1-3 General.

1-3.1 All of the performance requirements for any level of fire fighter shall meet the following criteria: It shall be performed swiftly, safely, and with competence. Each objective shall be met in its entirety.

1-3.2 It is not required for the objectives to be mastered in the order they appear. It is required, however, that any courses conducted to prepare a fire fighter to meet the performance objectives must be taught by, or under the supervision of, a Commission certified instructor for that level.

1-3.3 Performance of objectives for qualification at Fire Fighter III level may be approved by at least two Commission certified instructors working together.

1-3.4 A fire fighter must have satisfactorily completed performance objectives required of a certified Fire Fighter II before he can challenge the requirements of Fire Fighter III. This does not prevent a fire fighter from performing objectives for both Fire Fighter II and III simultaneously. As a matter of development, however, it is assumed there will be a time of active fire service between the II and III levels which will allow prior training to mellow and become more meaningful through actual use.

### 1-4 Definitions.

1-4.1 Fire Fighter: The member of a fire department who has fulfilled the entrance requirements of the department but has not met the objectives for Fire Fighter I.

1-4.2 Fire Fighter I: The fire fighter, at the first level of progression in the fire department, who has demonstrated the knowledge of and the ability to perform the objectives specified for that level, and who works under direct supervision.

1-4.3 Fire Fighter II: The fire fighter, at the second level of progression in the fire department, who has demonstrated the knowledge of, and the ability to perform the objectives specified for that level, and who works under minimum direct supervision.

1-4.4 Fire Fighter III: The fire fighter, at the third level of progression in the fire department, who has demonstrated the knowledge of, and the ability to perform the objectives specified for that level, and who works under minimum supervision, but under orders.

1-4.5 Fire Department: The agency that provides fire rescue, fire suppression, and fire prevention services to a state, parish, municipality, organized fire district, or federal institute or military facility.

1-4.6 Safely: To perform the objective without injury to self or others.

1-4.7 With Competence: Possessing knowledge, skills and judgment needed to perform indicated objective satisfactorily.

1-4.8 Swiftly: The time, as provided herein, that it takes an approved fire fighter to perform the objective satisfactorily.

1-4.9 Demonstrate: To show by actual use, illustration, simulation, or explanation.

1-4.10 Identify: To physically select, indicate, or explain verbally or in writing, using standard terms recognized by the fire service.

1-4.11 Objective: Observable or measurable demonstration of a skill, knowledge, or both.

1-4.12 Qualification: Having satisfactorily completed the requirements of the objectives.

1-4.13 Commission: The Louisiana Commission on Fire Fighting Personnel Standards and Education.

1-4.14 Certified: Having met all Commission requirements for the level of progression for which the fire fighter is applying.

## **Fire Fighter III Performance Objectives**

### 4-1 General.

4-1.1 The fire fighter shall demonstrate writing a basic fire incident report. \*Note: Correctly completing the Basic Field Incident Report as used in NFPA's

“FIFI” (Fire Information Field Investigation) will suffice.

4-1.2 The fire fighter shall demonstrate the principal types of building construction as defined in the local building code.

4-1.3 The fire fighter shall demonstrate the general fire behavior expected with each type of building construction, including the spread of fire, and the safety of the building, occupants, and fire fighters.

#### 4-2 Fire Streams.

4-2.1 The fire fighter shall construct a diagram to identify three types of fog nozzles, and identify the major parts and trace water flow through them.

4-2.2 The fire fighter, given a selection of nozzles and tips, shall identify their type, design, operation, nozzle pressure, and flow in GPM for proper operation of each.

#### 4-3 Fire Prevention and Inspections.

4-3.1 The fire fighter shall demonstrate, in writing, inspection reports as required by the authority having jurisdiction.

4-3.2 The fire fighter shall demonstrate that fire extinguishers in inspected premises are of required types and ratings, conform to fire prevention code requirements where applicable, and have been inspected and serviced within the required period.

4-3.3 The fire fighter shall identify the action to be taken under designated procedures whenever fire hazards, or suspected fire hazards, are encountered during inspections.

4-3.4 The fire fighter shall demonstrate, in writing, the procedure for effective participation in the pre-fire planning of operation practiced by the authority having jurisdiction, including the information to be obtained during fire company inspections to facilitate such plans.

4-3.5 The fire fighter shall identify the duties and responsibilities of fire company inspectors assigned to a fire prevention detail in places of public assembly.

4-3.6 The fire fighter, given details of different occupancies, shall identify the fire exit facilities for each occupancy as required by the authority having jurisdiction.

Note: The intent is for the fire fighter to be able

to recognize the exit facilities needed to meet National Fire Protection Association Life Safety Code 101, or other codes that may be adopted by the authority having jurisdiction, and apply to any type of public assembly occupancies. This might be demonstrated with an actual walking tour through a public assembly occupancy in the jurisdiction of the department.

4-3.7 The fire fighter shall demonstrate the use and operation of various roof vents, both manual and automatic.

4-3.8 The fire fighter shall demonstrate the inspection of standpipe systems for fire protection, including visual inspection of hose (where provided), nozzles, hose outlet threads, and fire department connections.

4-3.9 The fire fighter shall demonstrate a private water system for fire protection, including fire pumps, yard hydrants, hose houses, gravity and pressure types of water storage tanks, reservoirs, and draft sources.

4-3.10 The fire fighter shall identify smoke, flame, and heat detection alarm systems.

4-3.11 The fire fighter shall identify local and state fire codes concerning subjects to be noted in fire company inspections.

4-3.12 The fire fighter shall identify the areas of responsibility of other municipal and state inspection agencies, other than fire department, that exists in the city, parish, and state.

4-3.13 The fire fighter shall identify the fire hazards commonly found in manufacturing, commercial, residential, and public assembly occupancies.

4-3.14 The fire fighter shall identify common deficiencies in electrical services and electrical appliances.

4-3.15 The fire fighter shall identify standard types of chimneys and flues, including recognizing deficiencies likely to cause fires in such equipment.

4-3.16 The fire fighter shall demonstrate knowledge of spread of fire through air conditioning and utility ducts, and identify and explain the functions of automatic and manual controls of these systems.

4-3.17 The fire fighter shall identify and explain local code requirements covering the proper storage and use of flammable liquids and gases.

4-3.18 The fire fighter shall identify and explain storage codes and practices contributing to fire safety in buildings, including: proper piling, aisles, clearances, access to fire equipment, and exits.

4-3.19 The fire fighter shall identify and explain recommendations of proper outside storage and how it affects fire fighting, including: aisles, roadways, access to hydrants, access to buildings, exposure hazards, and dangers for fire fighting personnel.

4-3.20 The fire fighter shall identify water and smoke damage potential to goods, to office and manufacturing machinery, and to other valuable objects.

#### 4-4 Water Supplies.

4.4.1 The fire fighter shall identify and explain the four fundamental components of a modern water distribution system.

4-4.2 The fire fighter, given a pitot tube and gauge, shall demonstrate its use and properly read and record several various flow pressures.

4-4.3 The fire fighter, given a chart, table, size of openings, and velocity pressures, shall determine the quantity of water flowing from the openings.

4-4.4 The fire fighter, given a chart and table, shall identify and explain the approximate discharge capacities of various water pipe sizes.

4-4.5 A fire fighter shall identify the pipe sizes used in water distribution systems for residential, business, and industrial districts.

4-4.6 A fire fighter shall identify at least two causes of increased resistance or friction loss with water flowing in water mains.

#### 4-5 Sprinklers.

4-5.1 The fire fighter, given an alarm valve of an automatic sprinkler system, shall demonstrate the operation of the valve.

4-5.2 A fire fighter, given twelve various sprinkler heads, shall identify all of them correctly as to:

- (a) Temperature rating
- (b) Pendant or upright
- (c) Special types

4-5.3 A fire fighter shall identify the alarm test valve on an automatic sprinkler system.

4-5.4 The fire fighter, given an automatic sprinkler system, shall operate the alarm test valve in such a manner as to actually test the system.

4-5.5 The fire fighter, given a velocity drain valve or ball drip valve on the fire department connection of an automatic sprinkler system, shall demonstrate that the valve is operating and the pipe drained.

4-5.6 The fire fighter, given a check valve on the fire department connection to an automatic sprinkler system, shall demonstrate the direction of flow of water through the valve.

4-5.7 The fire fighter shall read and record the indicated pressures on all gauges provided on a standard wet automatic sprinkler system and name each gauge.

4-5.8 The fire fighter shall read and record the indicated pressures on all gauges provided on a standard dry pipe automatic sprinkler system and name each gauge.

4-5.9 The fire fighter shall identify and explain the reliability of automatic sprinkler systems, and shall identify eight reasons for unsatisfactory performance.

4-5-10 The fire fighter, by inspection of an automatic sprinkler system in a building, shall identify and explain if obstructions to sprinkler heads are present and what is the required clearance for the sprinkler head from obstructions.

#### 4-6 Fire Alarm and Communications.

4-6.1 The fire fighter shall demonstrate the rewinding, resetting, or both, of any fire alarm boxes or devices on the public fire alarm system as specified by the authority having jurisdiction.

4-6.2 The fire fighter shall demonstrate the ordering of multiple alarms and other calls for assistance from the fire ground when authorized to do so.

4-6.3 The fire fighter shall identify the types of supervisory alarm systems in the area of the authority having jurisdiction.

#### 4-7 Safety.

4-7.1 The fire fighter shall identify and explain the symbols used to designate hazardous materials and areas, and identify precautions that fire fighters are expected to observe and follow in such areas.

#### 4-8 Fire Pumper Familiarization and Operating Principles.

4-8.1 The fire fighter shall safely drive the apparatus for a distance and at a speed great enough to require shifting through the gears. Shifting shall be accomplished without undue clashing of gears.

4-8.2 The fire fighter shall correctly spot the pumper at a hydrant for easy connection with 2½ inch intake hose.

4-8.3 The fire fighter shall engage the pump, take water from a hydrant or booster tank, and correctly supply a routine hose lay as specified by authority having jurisdiction.

4-8.4 The fire fighter shall demonstrate a basic appreciation for fire service hydraulics by identifying from charts, rule of thumb calculations, or fire service hydraulic formulas, the correct pressure to be supplied on two separate routine hose lays as specified by the authority having jurisdiction.

#### 4-9 Simulated Fire Ground Decisions.

4-9.1 The fire fighter shall demonstrate assuming command of a fire ground operation in the absence of a fire officer.

4-9.2 The fire fighter shall demonstrate assuming command of a rescue operation in the absence of a fire officer.

4-9.3 The fire fighter shall identify the first priority given at the scene of an emergency.

These requirements are intended to meet or exceed those of NFPA 1001.

Jimmy Chapman  
Executive Director

## RULES

### Health and Human Resources Administration Division of Health

The following rules were adopted February 27, 1976, by the Commissioner, Louisiana Health and Human Resources Administration, as an addition to Chapter XI of the Louisiana State Sanitary Code.

#### Adopted Changes Chapter XI Louisiana State Sanitary Code

#### Mass Gatherings

11.3 Definitions. For the purpose of this code, the following definitions shall apply.

11.3.1 Group gathering area means any place maintained, operated, or used for a group gathering, or assemblage, except an established permanent stadium, athletic field, arena, auditorium, coliseum, fairground, or other similar permanent place of assembly.

11.3.2 Mass gathering means a group of five hundred or more persons assembled together for a meeting, festival, social gathering, or other similar purposes that can be anticipated to exceed ten hours in any twenty-four hour period.

11.3.3 Health authority means the Louisiana Health Officer or his duly authorized representative.

11.3.4 Operator means the person responsible for managing the group gathering area. In the event that no "manager" exists, the owner, or in the event of his unavailability, the lessee of the ground encompassing the group gathering area, shall be deemed to be the "operator" under these regulations.

11.3.5 Person means an individual, group of individuals, association, partnership or corporation, firm, or company.

11.3.6 Refuse means all combustible or noncombustible, putrescible or nonputrescible solid or liquid wastes.

11.3.7 Sanitary facilities means toilets, lavatories, showers, urinals, drinking fountains, and the service building or room provided for installation and use of these units.

11.3.8 Nuisances shall mean annoyance; anything which works hurt, inconvenience or damage, or which essentially interferes with the enjoyment of life or property, and shall include inadequate or insanitary sewerage or plumbing facilities or insanitary conditions.

11.4 Application for Permit. Written application for permit must be received by the local health unit at least thirty days in advance of the proposed gathering.

11.5 The following shall be included with the application for permit, when applicable. An outline map of the area to be used showing the location of all proposed toilets to be used, lavatory and bathing facilities, water supply sources, areas of assemblage, camping areas, food service areas, emergency egress roads, refuse disposal, and collection facilities. Also included must be detailed drawings of toilet facilities,

sewage disposal system, lavatory and bathing facilities, and water supply system. An anticipated attendance figure must also be included.

11.6 The operator shall meet all provisions of the State Sanitary Code and obtain the necessary permit at least seventy-two hours prior to the starting date of the mass gathering.

11.6.1 The operator shall be responsible for meeting the provisions of these standards and regulations to serve the maximum number of people to be assembled, for operational maintenance, and for the clean, safe, and sanitary condition of the grounds, sanitary facilities, and other service equipment.

11.7 Access. Each group gathering area shall be provided with convenient and safe access for the ingress and egress of pedestrian and vehicular traffic.

#### 11.8 Grounds

11.8.1 Each group gathering area shall be well drained and so arranged as to provide sufficient space for people assembled, vehicles, sanitary facilities, and appurtenant equipment.

11.8.2 Trees, underbrush, large rocks, and other natural features shall be left intact and undisturbed whenever possible. Natural vegetative cover shall be retained, protected, and maintained so as to facilitate drainage, prevent erosion, and preserve the scenic attributes.

11.8.3 The grounds shall be maintained free from dust wherever possible, accumulations of refuse, and other health and safety hazards constituting a nuisance as defined.

11.8.4 The size of the group gathering should be limited to the number of persons for which the facilities are designed to accommodate and provisions should be made to prevent people in excess of the maximum permissible number from gaining access to the group gathering area.

11.8.5 Illumination shall be provided, at night, to protect the safety of the persons at the assembly. The assembly area shall be adequately lighted but shall not unreasonably reflect beyond the assembly area boundaries, unless adjacent properties are uninhabited. Light level intensities shall be at least five foot candles.

11.8.6 (a) On site parking space, shall be provided where persons arrive at the group gathering area by vehicular means.

(b) Service road and parking spaces shall be so located as to permit convenient and safe movement of vehicular and pedestrian traffic and free passage of emergency vehicles.

(c) Width of service roads shall be not less than the following: one traffic lane—eleven feet; two traffic lanes—twenty-two feet; parallel parking lane—seven feet.

(d) Adequate parking space shall be provided. Adequate parking space is generally construed to mean at the rate of at least one parking space for every four persons and the density shall not exceed one hundred passenger cars or thirty buses per usable acre.

11.8.7 At least twenty square feet per person shall be provided at the site for daytime assemblage and at least forty square feet per person shall be provided for overnight assemblage.

#### 11.9 Water Supply

11.9.1 An adequate, safe supply of potable water, under pressure (not less than twenty psi), easily accessible and meeting requirements of the Louisiana State Sanitary Code shall be provided.

(a) If water is to be provided only for drinking and washing it should be supplied at a rate of five gallons per person per day.

(b) If water is used for drinking, washing, flushing toilets, and showers when required, then water should be provided at a rate of at least thirty gallons per person per day.

#### 11.10 Sanitary Facilities

11.10.1 Sanitary facilities shall be provided and installed in the minimum numbers as required by the following schedule.

(a) Toilets – at the rate of one for each one hundred persons or fractional part thereof.

(b) Urinals – urinals (men's) and sanistands (women's) may be substituted for up to one-third of the required number of toilets, twenty-four inches of trough urinals, in a men's room shall be considered the equivalent of one urinal or toilet (or as outlined in Chapter Xa, Paragraph 6.5).

11.10.2 Required sanitary facilities shall be conveniently accessible and well identified.

11.10.3 Each toilet shall have a continuous supply of toilet paper.

11.10.4 Service buildings or rooms housing required plumbing fixtures, shall be constructed of easily cleanable, non-absorbent materials. The buildings, service rooms, and required plumbing fixtures located therein



shall be maintained in good repair and in a clean and sanitary condition.

11.10.5 Water points or drinking fountains, shall be of approved type, conveniently accessible and well identified.

11.10.6 Showers – at the rate of not less than one per two hundred and fifty persons shall be provided at gatherings when those in attendance are expected to remain for forty-eight hours or longer.

#### 11.11 Sewage and Liquid Waste Disposal

11.11.1 Approved facilities shall be provided and properly maintained for the disposal or treatment and disposal of all sewage and liquid waste.

11.11.2 Where a public sewer system is available, all plumbing fixtures and all building sewers shall be connected thereto. If a public sewer system is not available, a private sewage disposal facility meeting the regulations of the Louisiana State Sanitary Code shall be installed and connected to all plumbing fixtures and building sewers.

#### 11.12 Refuse Disposal

11.12.1 The storage, collection, transportation, and disposal of refuse shall be so conducted as to prevent odor, insect, rodent, and other nuisance conditions.

11.12.2 One fifty-gallon refuse container or its equivalent shall be provided for each one hundred persons anticipated. Refuse containers shall be readily accessible.

11.12.3 All refuse shall be collected from the assembly area at least once each day of the assembly and disposed of at an approved disposal site.

11.12.4 The grounds and immediate surrounding properties shall be cleaned of refuse within twenty-four hours following the assembly.

#### 11.13 Vector Control

11.13.1 (a) Insects, rodents, and other vermin shall be controlled by proper sanitary practices, extermination, or other safe and effective control methods.

(b) Where necessary, animal ecto-parasites, and other disease transmitting and nuisance insects shall be controlled.

#### 11.14 Medical

11.14.1 Emergency medical services shall be provided under the supervision of a licensed physician.

11.14.2 An enclosed covered structure shall be provided for emergency medical treatment and care.

11.14.3 Adequate medical supplies and medicines shall be provided and made available for emergency treatment of sick and injured persons.

11.14.4 Adequate vehicles suitable for emergency use shall be available.

11.14.5 Telephone or radio communications shall be provided and kept available for emergency purposes.

11.15 Food Service. All food service operations shall comply with applicable portions of the Louisiana State Sanitary Code and the Louisiana Food, Drug and Cosmetic Law.

11.16 Penalties. Penalties provided for in R.S. 40:12A shall apply.

William H. Stewart, M.D.  
Commissioner

## RULES

### Department of Public Works

#### Section 4.0.0.0. Rules, Regulations, and Procedures for Reporting Abandoned Water Wells and Holes

As announced in the Louisiana Register dated March 20, 1976, and the Official Journal of the State, rules, regulations, and procedures requiring the reporting of abandoned water wells and holes were adopted March 8, 1976, and are to be effective March 20, 1976. Section 5.A.6. of State Act 535 (1972) authorized the Director of the Louisiana Department of Public Works to establish rules and regulations to require that abandoned water wells and holes be reported to the State.

#### Section 4.1.0.0. Purpose

The purpose of the rules, regulations, and procedures are to assemble information on abandoned wells and holes that could become a health or safety hazard and provide a conduit for the entry of contaminants into fresh-water sands. The information on and location of abandoned water wells and holes are available to the public, police juries, and other local government agen-

cies, Federal agencies, and other State agencies who are concerned with the protection of our "fresh-water sands."

#### Section 4.2.0.0. General Rules and Regulations

The rules, regulations, and procedures as stated herein apply to cased water wells and abandoned holes intended for obtaining hydrologic data and/or for producing water. The party responsible (see Section 4.2.5.0.) shall report abandoned water wells and holes to the Louisiana Department of Public Works using Louisiana Department of Public Works Abandonment and Plugging Form (LDPW-GW-2). For details on the procedures to be followed, refer to Section 4.3.0.0.

#### Section 4.2.1.0. Exemptions

The following wells, excavations, and holes are exempted from the provisions of rules, regulations, standards, and methods stated herein: seismic holes; cathodic-protection holes; saline-water wells associated with secondary recovery operations; brine wells; oil and gas wells and holes; geothermal and geopressured holes; brine-injection wells; waste-disposal wells; holes and excavations used in the development and/or exploration of mineral resources including but not limited to, gravel, salt, and sulphur; excavations and borings associated with the construction of buildings, roads, bridges, and soil boring activities.

Although the cited activities are not covered by State Act 535 (1972), they are not exempted or excepted by State law. Therefore, persons, corporations, governmental agencies, etc., should take any and all action, and use all protective methods necessary to protect our ground water supply and to prevent contamination. The exclusion of these activities from State Act 535 (1972) does not in any way remove or establish legal liability for health and safety hazards, contamination, or pollution problems alleged to be caused by persons engaged in the cited activities in the first paragraph of this Section.

#### Section 4.2.2.0. Effective Date

Water wells and holes abandoned before, on, and after March 20, 1976, the effective date of rules, regulations, and procedures as stated herein, shall be reported to the Louisiana Department of Public Works.

#### Section 4.2.3.0. Abandoned Wells

Unless the landowner or lessee declares a well to be abandoned, the well is considered "abandoned" by the State of Louisiana when production operations have

ceased for a period of one year or more or the well is in such a state of disrepair that the well cannot be placed in the active classification and there is no intent to use the well for observation purposes. For wells used for observation purposes, or those temporarily out of use, refer to Section 3.3.3.2.

When an observation well, which was formerly a production well, is no longer needed for observation purposes and the landowner or lessee does not intend to use the well to produce water, the well shall be considered abandoned. Wells constructed solely for observation purposes by a landowner or lessee, a governmental agency, engineering or research organization, shall be considered abandoned unless the well is converted to an active well within ninety days after the initial date of abandonment.

#### Section 4.2.4.0. Abandoned Holes

A "pilot hole" excavated with the intent to install casing to produce water shall be considered an abandoned hole when the hole is not cased and not used to produce water or for observation purposes within thirty days after drilling operations have been completed.

An exploratory test hole drilled or excavated solely for the purpose of collecting hydrologic, geologic, and water-quality data shall be considered an abandoned hole within thirty days after the completion of all testing operations.

#### Section 4.2.5.0. Responsibility For Reporting Abandoned Water Wells and Holes

The landowner or the lessee of the land where the well or hole is located shall be responsible for reporting to the Louisiana Department of Public Works within ninety days after the well or hole is abandoned or declared abandoned by a State or local agency. Water wells and holes that are abandoned on or before the effective date of the rules, regulations, and procedures as stated herein shall be reported to the Department within ninety days after March 20, 1976.

When a well used for observation purposes by a governmental agency or other scientific groups is no longer need for that purpose, the agency or group using the well shall report this fact to the landowner or lessee, who permitted the use of the well. If the well will not be used to product water or as a standby well, the well is then considered abandoned and the landowner or lessee shall be responsible for reporting the well as abandoned to the State.