

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

Person
Preparing
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Return
Address: Environmental Division Rule
P.O. Box 94275 Title: Title 46, Professional and Occupational
Baton Rouge, LA 70804-9275 Standards. Part LXXXIX.
Water Well Drillers (Contractors)
Chapter 5, Procedures for Obtaining and
Maintaining a License.
LAC 46 LXXXIX.501.E
LAC 46 LXXXIX.501.F
LAC 46 LXXXIX.509.B

Date Rule
Takes Effect: Upon Promulgation

SUMMARY
(Use complete sentences)

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

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

There is no anticipated direct material effect on state or local governmental expenditures as a result of the proposed rule change. The proposed rule codifies into the Louisiana Administrative Code Title 46, Part LXXXIX, Chapter 5, Section 509 (with additional reference clarification in Section 501 as needed) the continuing education requirements for licensure of water well drillers (contractors) as required by La. R.S. 38:3098.B. The six hours of continuing education required for license renewal has existed in law but not as part of the agency's rules. This change codifies the requirements.

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

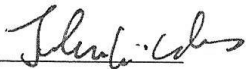
The proposed rule change will have no effect on revenue collections of state or local government units.

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

There are no anticipated cost increases associated with the proposed change, nor any economic benefits of note. Water well drillers have already had to meet the six hours of required continuing education as part of their annual re-licensing costs. This rule change provides clarification of the content of those six hours.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no effect on water well driller competition and employment.


Signature of Agency Head or Designee
John Adams, Assistant Commissioner


Legislative Fiscal Officer or Designee

1-5-2023
Date of Signature

1/5/23
Date of Signature

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

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

The proposed rule change codifies the continuing education requirements for licensure of water well drillers (contractors) as required by La. R.S. 38:3098.B. The six hours of continuing education required for license renewal has existed in law but not as part of the agency's rules. This change codifies the requirements.

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

The six hours continuing education requirement for well driller licensure renewal has existed in law but not as part of the agency's rules. The rule provides clarification on the content allowable for this continuing education as well as procedures for agency review and certification, penalties, and exceptions.

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

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

No. The proposed rule change will not result in any increase in the expenditure of funds.

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

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

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

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

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

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

COSTS	FY 22-23	FY 23-24	FY 24-25
Personal Services	\$ 0	\$ 0	\$ 0
Operating Expenses	\$ 0	\$ 0	\$ 0
Professional Services	\$ 0	\$ 0	\$ 0
Other Charges	\$ 0	\$ 0	\$ 0
Equipment	\$ 0	\$ 0	\$ 0
Major Repairs & Constr.	\$ 0	\$ 0	\$ 0
TOTAL	\$ 0	\$ 0	\$ 0
POSITIONS (#)	0	0	0

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

Not applicable. There are no costs or savings to state agencies resulting from the proposed actions. The agency already has a review process in place for certifying allowable hours.

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

SOURCE	FY 22-23	FY 23-24	FY 24-25
State General Fund	\$ 0	\$ 0	\$ 0
Agency Self-Generated	\$ 0	\$ 0	\$ 0
Dedicated	\$ 0	\$ 0	\$ 0
Federal Funds	\$ 0	\$ 0	\$ 0
Other (Specify)	\$ 0	\$ 0	\$ 0
TOTAL	\$ 0	\$ 0	\$ 0

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

Not applicable.

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

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

The proposed rule change is not anticipated to result in costs or savings to local government units.

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

Not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

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

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

REVENUE INCREASE/DECREASE	FY 22-23	FY 23-24	FY 24-25
State General Fund	\$ 0	\$ 0	\$ 0
Agency Self-Generated	\$ 0	\$ 0	\$ 0
Dedicated Funds*	\$ 0	\$ 0	\$ 0
Federal Funds	\$ 0	\$ 0	\$ 0
Local Funds	\$ 0	\$ 0	\$ 0
TOTAL	\$ 0	\$ 0	\$ 0

*Specify the particular fund being impacted.

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

There is no anticipated effect on revenue collections of state and local government units.

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

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

The primary group impacted by these rule changes will be water well drillers. The six hours of continuing education required for license renewal has existed in law but not as part of the agency's rules. Water well drillers have already had to meet the six hours of required continuing education as part of their annual re-licensing costs.

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

There are no anticipated impacts on receipts or income.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

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

There are no anticipated effects on competition and employment resulting from the proposed rule change.

Professional and Occupational Standards
Part LXXXIX. Water Well Contractors (Drillers)
Chapter 5. Procedures for Obtaining and Maintaining a License

§501. License Application . . .

E. License Renewal. All licenses issued by the department shall expire on June 30 of each year and shall be renewable annually, without qualifying examination, upon submission of a completed license renewal application (see §1111), using form provided by the department, and upon payment of the required license renewal fee (see §503), and upon certification by the department of qualified continuing education hours (see §509)

F. Contractors (drillers) who fail or refuse to submit their license renewal applications, documentation of required continuing education hours, and the applicable annual renewal fees to the department by June 30 of each year or submit their applications with N.S.F. or Account Closed checks, will be considered delinquent and they will be dropped from the roster of licensed drillers. Thereafter, the license may be renewed only upon receipt of the completed renewal application, documentation of required continuing education hours, and payment of the applicable renewal fee, plus a penalty of \$5 for each month that the contractor (driller) was delinquent

§509. Requirements for Maintaining a License . . .

B. Continuing Education. Six hours of continuing education are required for maintenance and renewal of a license annually. Five (5) hours shall consist of continuing education in generalized water well drilling principles; drilling or reworking of water wells; drilling monitoring wells; heat pump wells or holes; geotechnical boreholes; plugging and abandoning wells or holes; safety in drilling operations, including utility notifications and equipment transport; well construction/pumps; geology and hydrogeology; new technologies; and/or other relevant topics approved by the department. One (1) hour shall consist of training provided and/or approved by the department on relevant state law, rules, and regulations governing the above, or relevant compliance and enforcement matters. The license holder must attest to the department personal attendance for each required continuing education hour. The department will review the submitted continuing education documentation and provide notice of certification or rejection of all or some of the hours. Rejected hours must be completed within 60 days of notice from the department, subject to penalty found in §503.F and §503.G. The department may consider requests for, and act upon, exceptions to the above requirements on an individual, case-by-case basis resulting from reasonable extenuating circumstances and/or hardships.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3098.2.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Public Works, Water Resources Section, LR 9:249 (April 1983), amended LR 11:968 (October 1985).