

NOTICE OF INTENT
Louisiana Department of Agriculture and Forestry
Office of Agricultural and Environmental Sciences
Horticulture Commission

Licensure or Permitting Fees
(LAC 7:XXIX.109)

In accordance with the Administrative Procedure Act, R.S. 49:950, *et seq.*, notice is hereby given that the Department of Agriculture and Forestry ("Department") intends to amend LAC 7:XXIX.109 regarding fees for licensure and permitting. Act 202 of the 2015 Regular Session amended R.S. 3:3806 and set forth ranges which the department may charge for the issuance or renewal of certain licenses and permits. The proposed rule sets the fee for applicable licenses and permits within the ranges set by Act 202. The proposed rule raises fees for the issuance or renewal of a license as an arborist, landscape horticulturist, landscape irrigation contractor, landscape architect, retail florist, utility arborist, or wholesale florist from \$75 to \$100, increases the fee for issuance or renewal of a nursery stock dealer permit from \$130 to \$150, and increases the fee for issuance or renewal of a cut flower dealer permit from \$70 to \$90. The proposed rule also provides for a \$25 late fee to be charged after the fifteenth working day after a license or permit has expired. The late fee is also authorized by R.S. 3:3806 and is not a change in the law.

Title 7
AGRICULTURE AND ANIMALS
Part XXIX. Horticulture Commission

Chapter 1. Horticulture

§109. Examination and Licensure or Permitting Fees

A.1.-2. ...

B. Arborist, Landscape Horticulturist, Landscape Irrigation Contractor, Retail Florist, Utility Arborist, Wholesale Florist

1. ...

2. The fee for issuance or renewal for licensure as an arborist, landscape horticulturist, landscape irrigation contractor, landscape architect, retail florist, utility arborist, or wholesale florist shall be \$100.

3. The fee for issuance or renewal of a nursery stock dealer permit shall be \$150.

4. The fee for issuance or renewal of a cut flower dealer permit shall be \$90.

C. A late fee of \$25 shall be charged after the fifteenth working day after a license or permit has expired for the renewal thereof

D. All fees required under this rule must be submitted at the same time as the application; failure to submit any required fees will bar the applicant from taking the examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3806, R.S. 3:3805, and R.S. 3:3801.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Horticulture Commission, LR 8:184 (April 1982), amended by the Department of Agriculture and Forestry, Horticulture Commission, LR 14:8 (January 1988), LR 18:249 (March 1992), LR 20:640 (June 1994), LR 29:2297 (November 2003), LR 31:1053 (May 2005), LR 35:1227 (July 2009), LR 37:3464 (December 2011), LR 40:758 (April 2014); LR 41:

Family Impact Statement

The proposed Rule does not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

- (1) the stability of the family;
- (2) the authority and rights of persons regarding the education and supervision of their children;
- (3) the functioning of the family;
- (4) family earnings and family budget;
- (5) the behavior and personal responsibility of children;
- (6) the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule does not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

- (1) the effect on household income, assets, and financial security;
- (2) the effect on early childhood development and preschool through postsecondary education development;
- (3) the effect on employment and workforce development;
- (4) the effect on taxes and tax credits;
- (5) the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Statement

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

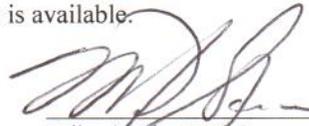
Provider Impact Statement

The proposed Rule does not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

- (1) the effect on the staffing level requirements or qualifications required to provide the same level of service;
- (2) the total direct and indirect effect on the cost to the providers to provide the same level of service; or
- (3) the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rule. Written submissions must be directed to Tad Hardy, Director of the Horticulture Commission, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 3002, Baton Rouge, LA 70806 and must be received no later than 4:00 p.m. on the 4th day of November 2015. No preamble is available.



Mike Strain, DVM

Commissioner of Agriculture and Forestry