

**LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY
LEGISLATIVE OVERSIGHT REPORT**

**RE: Office of Agricultural and Environmental Sciences;
Louisiana Structural Pest Control Commission (LAC 7:XXV.101, 105, 107, 113, 117
and 141)**

This report is submitted electronically to the President of the Senate, Speaker of the House of Representatives, and the Senate and House Committees on Agriculture, Forestry, Aquaculture and Rural Development, in accordance with R.S. 49:968 regarding the intent of the Department of Agriculture and Forestry, through the Louisiana Structural Pest Control Commission, to take the proposed action with regard to the above cited rule.

I. THE PROPOSED ACTION

The proposed action amends certain provisions of LAC 7:XXV.101, 105, 107, 113, 117 and 141. The amendments to Rule 101 define and clarify regulated terms used by the structural pest control industry. The amendments to Rule 105 raise the fee from \$125 to \$150 for issuance of a permit for firms that employ two or less employees and from \$175 to \$200 for firms which employ three or more employees. The amendments to Rule 107 require written notification to the department if telephone answering services or call centers are utilized. The amendments to Rule 113 raise the fee from \$20 to \$25 for administrative processing of a technician registration certificate. The amendments to Rule 117 make the following changes: (i) raise the annual fee for licensed pest control operations from \$5 to \$10 for each phase in which the pest control operator is licensed; (ii) raise the fees for wood destroying insect reports and contracts from \$8 to \$12; and (iii) obligate the licensed operator to use backflow prevention to protect water sources, to use listed telephone numbers, and to record completion date for new construction. Finally, the amendments to Rule 141 do the following: (i) provide homeowners and pest control operators additional treatment options for control of termites while still providing for minimum treatment specifications and include pier type construction in pre-construction; (ii) modify the required information on pre-treatment notifications; (iii) modify the requirements of pest control operators when bait contracts are terminated; (iv) remove the requirement of a pilot program for bait and baiting system products; and (v) permit the use of rodding around utility equipment.

II. THE REASONS FOR THE PROPOSED ACTION

The proposed rule changes clarify sections of the regulation for better understanding by the pest control industry and consumers, add requirements to increase consumer protection, and delete areas of regulation that are no longer applicable. The fee increases allow for continued oversight of the structural pest control industry.

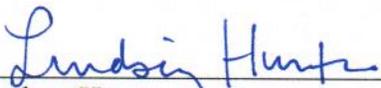
III. STATUTORY AUTHORITY

Changes to the definition section of Rule 101 are made pursuant to R.S. 3:3362 and 3366. The fee increase in the amendment to Rule 105 is authorized by R.S. 3:3374(B). The amendment to Rule 107

is authorized by 3:3366 and 3:3368. The fee increase in the amendment to Rule 113 is authorized by R.S. 3:3374(B)(5)(a) and (b). The amendments to Rule 117 are authorized by R.S. 3:3366, 3:3370 and 3:3374. Finally, the amendments to Rule 141 are authorized by R.S. 3:3366.

IV. ATTACHMENTS

- A. The proposed action coded with any new rule or language underscored and with language to be deleted from an existing rule in struck-through type.
- B. A copy of the fiscal and economic impact statement approved by the Legislative Fiscal Office.
- C. A copy of the Notice of Intent filed with the State Register.



Lindsey Hunter
General Counsel, LDAF

11/9/15

Date of signature