

quarantined areas to non-quarantined areas without a certificate or limited permit issued by the department. The only stoppages entities moving regulated articles will be able to make while moving regulated articles from non-quarantined areas will be for traffic conditions and fueling stops.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule is not anticipated to have an effect on competition and employment.

Dane Morgan
Assistant Commissioner
1509#058

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

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. - A.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), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Horticulture Commission, 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 and Forestry, 5825 Florida Blvd., Suite 3002, Baton Rouge, LA 70806 and must be received no later than 4 p.m. on November 4, 2015. No preamble is available.

Mike Strain, DVM
Commissioner

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Licensure or Permitting Fees**

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

The proposed rule will have no associated costs or savings to the state other than the cost of promulgation for FY 16. The proposed rule raises fees for the issuance or renewal of professional licenses for arborists, landscape horticulturists, landscape irrigation contractors, landscape architects, retail florists, utility arborists, and wholesale florists 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 horticulture commission has the authority under R.S. 3:3806 to set the fees for all professions provided the fees remain within the range of fees set forth in the statute. Act 202 of 2015 increases the fee ranges chargeable by the Horticulture Commission for professional licenses from \$75 to \$150, for nursery stock dealer licenses from \$130 to \$175, and for cut flower dealer permits from \$70 to \$140. The proposed rule does not raise fees to the maximum allowed by Act 202 of 2015.

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

LDAF anticipates the proposed rule change will generate an additional \$195,670 in a full fiscal year for the department to the extent license issuances and renewals continue based upon historical averages. For reference, LDAF annually issues an average of 5,822 horticulture professional licenses, 1,459 nursery stock dealer permits, and 1,047 cut flower dealer permits annually. The revenue generated in FY 16 will be less since the rule will only be in place for part of the fiscal year due to legal delays associated with rulemaking under the Administrative Procedure Act. Based upon prior activity, the fee increases are anticipated to approximately generate an additional \$114,000 in FY 16. The increased revenue will allow the department to fully fund expenditures necessary for regulating industries under the authority of Horticulture Commission, as well as the administrative work and costs associated with issuing licenses and permits. The increased revenues will be deposited into the Horticulture & Quarantine Fund.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule will affect those individuals or businesses applying for a license or permit in an industry regulated by the department and/or horticulture commission by requiring them to pay a higher fee. It is not anticipated that the proposed rule will result in an increase in paperwork or workload for any affected person or group. The proposed rule will require anyone applying 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 to pay a fee of \$100. This is an increase of \$25 from the current license fee of \$75. The proposed rule increases the fee for issuance or renewal of a nursery stock dealer permit from \$130 to \$150. The proposed

rule increases the fee for issuance or renewal of a cut flower dealer permit from \$70 to \$90.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

It is anticipated that the implementation of this proposed rule will not have an effect on competition and employment.

Dane Morgan
Assistant Commissioner
1509#059

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Culture, Recreation and Tourism
Office of Tourism**

Welcome Centers (LAC 25:V.505)

The Louisiana Department of Culture, Recreation and Tourism, Office of Tourism, in accordance with R.S. 51:1255 and the Administrative Procedure Act, R.S. 49:950 et seq., hereby provides notice of its intent to amend LAC 25:V:505 to increase and streamline the standard fees for the reserved exclusive use of welcome centers.

Title 25

CULTURAL RESOURCES

Part V. Office of Tourism

Chapter 5. Welcome Centers

§505. Standard Fees

A. Standard fees for reserved exclusive use of the Capitol Park Welcome Center shall be assessed as follows.

Space	Capacity	Full Day Rate (3 hours or more)	Half Day Rate (less than 3 hours)	Evening (after 5:00 pm) and Weekend Rate
Entire Building and Patio	350 seated, 600 reception	\$1000	\$600	\$1900.00 (3 hour minimum) \$500.00/ additional hour
Margaret Taylor Theater includes Audio/Visual Capabilities	100 seated (lecture) 80 seated (classroom) 200 reception	\$500	\$300	Unavailable separately for evening or weekend use.
Fishbowl "Glass Room" (no audio/visual)	65 seated (lecture)	\$300	\$200	Unavailable separately for evening or weekend use.

B. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:1255.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of Tourism, LR 36:50 (January 2010), amended LR 41:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this