

## POTPOURRI

### Office of the Governor Louisiana State Licensing Board for Contractors

#### Substantive Changes – Construction Management

(LAC 46:XXIX.Contractors)  
Rules and Regulations Update

In accordance with the provisions of La. R.S. 49:950 et seq., which is the Administrative Procedure Act, and through the enabling authority granted in R.S. 37:2150 - 2192, which is the Contractor Licensing Law, the Licensing Board for Contractors (LSLBC) published a Notice of Intent in the October 20, 2014 edition of the *Louisiana Register* to adopt these rules and regulations which define Construction Management and Program Management.

The LSLBC held a period of comment and planned to convene a public hearing should one be required. Shortly after that time period had passed, it was brought to the attention of the LSLBC by industry experts and associations that the definition of Program Manager needed further clarification, and that clarification is being added to these rules.

The original proposal is resubmitted, as revised, for publication in the Potpourri section of the Louisiana Register. The Legislative Fiscal Office has evaluated the impact of the proposed revisions of the original proposal and has opined that no fiscal or economic impact will result from the suggested revisions proposed in this notice.

#### Public Hearing

In accordance with R.S. 49:968(H)(2) of the Administrative Procedure Act, a public hearing on these proposed revisions to the original proposal is scheduled for Monday, February 2, 2015 at 9:00 a.m. at the LSLBC Office Building, 2525 Quail Drive, Baton Rouge, LA 70808. At that time, all interested persons will be afforded an opportunity to submit data, opinions, and arguments, either orally or in writing, regarding the proposed rule. The deadline for receipt of all comments is 12 noon that same day.

### Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS Part XXIX. Contractors

#### Chapter 1. General Provisions

##### §119. Construction Management

A. Any person, company or entity who undertakes, attempts to, or submits a price or bid or offer to perform work in “construction management” or “program management” whose scope of authority and responsibility includes supervision, oversight, direction, or in any manner assuming charge of the construction services provided to an owner by a contractor or contractors in excess of \$50,000 must possess a license from this Board in the major classification of Building Construction or Heavy Construction or Highway, Street, and Bridge Construction or Municipal and Public Works Construction. Any licensed contractor with any of these major classifications shall be able to bid and perform any such project specified for construction and/or program management within the scope of the classification(s) they hold. If a “program manager” whose scope of authority and responsibilities does not include any of the above stated tasks, and who does not subcontract actual construction work, that “program manager” does not need a contractor’s license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2150-2192.

HISTORICAL NOTE: Adopted by the Office of the Governor, Licensing Board for Contractors