The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Mary Frances Aucoin.

DIGEST 2024 Regular Session

Allain

<u>Proposed law</u> applies only to prescribed burning not in accordance with <u>present law</u> and defines a "non-certified prescribed burn manager".

<u>Proposed law</u> provides that an applicant must provide the office of forestry with the location, date, and time of the prescribed burn prior to conducting a prescribed burn.

<u>Proposed law</u> authorizes the commissioner of agriculture and forestry to promulgate rules and regulations in accordance with the Administrative Procedure Act.

<u>Proposed law</u> does not entitle the non-certified prescribed burn manager with a rebuttable presumption of non-negligence.

<u>Proposed law</u> exempts the need for a permit when burning of leaf piles, yard debris, or hand-piled natural vegetation.

<u>Proposed law</u> provides for a civil penalty not to exceed \$250 for a first offense and a civil penalty not to exceed \$500 for a second or subsequent offense.

<u>Proposed law</u> provides that civil penalties may only be assessed by a ruling of the commissioner based upon an adjudicatory hearing in accordance with the Administrative Procedure Act.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 3:17.1)

SB 81 Reengrossed

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to the original bill

- 1. Defines a "non-certified prescribed burn manager".
- 2. Provides requirements in order for the prescribed burn notification to be accepted.
- 3. Removes language that specifies types of rules and regulations the commissioner has authorization to promulgate.

Senate Floor Amendments to engrossed bill

- 1. Changes "prescribed burner" to "non-certified prescribed burn manager".
- 2. Provides that the commissioner's ruling on civil penalties will be based on an adjudicatory hearing.