
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Johnson.

DIGEST

Thompson (SB 168)

Present law (R.S. 3:1382) provides for the Louisiana Feed, Fertilizer, and Agricultural Liming Commission, within the Louisiana Department of Agriculture and Forestry (LDAF), composed of the following members:

- (1) The commissioner of agriculture and forestry.
- (2) The director of the Louisiana Agricultural Experiment Station.
- (3) The director of the Louisiana Cooperative Extension Service.
- (4) The president of Louisiana Farm Bureau Federation, Inc.
- (5) The chairman of the Livestock Advisory Committee.
- (6) The chairman of the Dairy Advisory Committee of the Louisiana Farm Bureau Federation, Inc.
- (7) The president of the Louisiana Thoroughbred Breeder's Association.
- (8) The president of the Louisiana Cattlemen's Association.
- (9) The president of the Louisiana Ag Industries Association, or their duly authorized representative.
- (10) A person who owns or operates a feed business which is not a member of the Louisiana Ag Industries Association.
- (11) An independent feed manufacturer domiciled in Louisiana.

Proposed law changes present law to create the Louisiana Agricultural Chemistry and Seed Commission, within the LDAF, composed of the following seven members:

- (1) The commissioner of agriculture and forestry or his designee.
- (2) One member and an alternate, representing the Louisiana Agricultural Experiment Station, appointed by the commissioner who serves at the pleasure of the commissioner.
- (3) One member and an alternate, representing the Louisiana Cooperative Extension Service, appointed by the commissioner who serves at the pleasure of the commissioner.

- (4) The president of Louisiana Farm Bureau Federation, Inc. or his designee as approved by the commissioner.
- (5) One member representing the seed industry appointed by the commissioner from a list of three nominees submitted by the Louisiana Ag Industries Association who shall serve at the pleasure of the commissioner.
- (6) One member representing the fertilizer industry appointed by the commissioner from a list of three nominees submitted by the Louisiana Ag Industries Association who shall serve at the pleasure of the commissioner.
- (7) One member representing the feed industry appointed by the commissioner from a list of three nominees submitted by the Louisiana Ag Industries Association and a list of three nominees submitted by the Louisiana Cattlemen's Association who shall serve at the pleasure of the commissioner.

Proposed law authorizes the commission to appoint a director and assistant director of the seed program.

Proposed law defines "minor violation" as a violation of noncompliance which does not create a competitive disadvantage for licensees in full compliance; is not a violation which adversely affects human health, safety or the environment; is not a violation performed with malicious, deliberate or fraudulent intent; and is not a repetitive violation.

Present law provides for the disposition of funds related to fertilizer and creates the "Feed and Fertilizer Fund".

Proposed law repeals present law because the "Feed and Fertilizer Fund" was already created in R.S. 3:1407.

Present law (R.S. 3:1432) provides for the Seed Commission composed of the following five members: commissioner of agriculture and forestry, director of Louisiana Cooperative Extension Service, director of Louisiana Agricultural Experiment Station, president of Louisiana Ag Industries Association, and president of Louisiana Farm Bureau Federation, Inc., or their designees. Present law authorizes the commission to employ a director and assistant director in the unclassified service and further authorizes the commissioner to employ all other necessary personnel.

Proposed law repeals present law and transfers the powers, duties, and functions of the Seed Commission to the Agricultural Chemistry and Seed Commission.

Present law (R.S. 3:1444(11)) prohibits a person from relabeling seeds more than one time.

Proposed law repeals present law.

Present law provides that violators shall be subject to a civil penalty of not more than \$500 for each act of violation and for each day of violation.

Proposed law changes "shall" to "may" on civil penalties for violations.

Proposed law provides that the commission is not required to institute adjudicatory proceedings for minor violations when the department believes that the public interest will best be served by a suitable notice of noncompliance in writing.

Present law (R.S. 3:1449) provides for the Seed Commission Fund and authorizes the Seed Commission to determine the expenses of the program.

Proposed law changes the name of the fund from "Seed Commission Fund" to "Seed Fund" and authorizes the commissioner to determine the expenses of the program.

Proposed law repeals bond requirements for agents of nurserymen.

Proposed law provides for technical corrections and corrects internal references.

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

(Amends the heading of Chapter 10-A and the heading of Part I of Chapter 10-A of Title 3, R.S. 3:1381(1), 1382(A) and (B), 1407, 1430.13(A) and (D), 1431(intro para), (1), (3), (4), and (17)-(30), 1433(A)(1)(b) and (f), (3)(intro para), (4), (5), and (7), 1434(1), (2), (4) and (5), 1435(1)-(4) and (6)-(8), 1436(1)(intro para), (2)(a) and (5)(c), 1437(A), 1438, 1440, 1441, 1443, 1444(1), (2), (4), (5) and (8), 1445(A)(1) and (3) and (B)(2) and (3), 1446(A), (B)(intro para) and (B)(1), 1449(A)(intro para), (A)(1) and (2) and (B), and R.S. 36:629(H); adds R.S. 3:1431(31) and 1446(B)(5); repeals R.S. 3:1421, 1432, 1444(11), 1551, 1552, and R.S. 36:629(C)(6))

Summary of Amendments Adopted by Senate

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

1. Provides for changes to the membership of the commission.
2. Repeals bond requirements for agents of nurserymen.
3. Makes technical corrections.