2015 Regular Session

HOUSE BILL NO. 269

BY REPRESENTATIVE ANDERS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AGRICULTURE: Authorizes the Department of Agriculture and Forestry to issue certifications and registrations

1	AN ACT
2	To amend and reenact R.S. 3:1 and 15(A) and to enact R.S. 3:15(C), relative to the authority
3	of the Department of Agriculture and Forestry; to provide for the issuance of
4	certifications and registrations; to provide for definitions; and to provide for related
5	matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 3:1 and 15(A) are hereby amended and reenacted and R.S. 3:15(C)
8	is hereby enacted to read as follows:
9	§1. Terms defined
10	As used in this Title, the terms defined in this Section have the meanings
11	herein given to them, except where the context expressly indicates otherwise:
12	(1) "Applicant" means a person or place of business that makes a formal
13	application for a license, permit, certification, registration, or certificate issued
14	pursuant to this Chapter.
15	(1) (2) "Commissioner" means the Louisiana Commissioner of Agriculture
16	and Forestry.
17	(2) (3) "Department" means the Department of Agriculture and Forestry.
18	(3) (4) "Encumbrance" means any lien, privilege, judgment, mortgage,
19	pledge, pawn, claim, charge, or any other encumbrance of like nature.

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1	(5) "Person" means an individual or any legal or commercial entity,
2	including a corporation, business trust, partnership, limited liability company,
3	association, or joint venture. However, for purposes of any adjudications or
4	violations or penalties issued pursuant to the provisions of this Title, "person" shall
5	not include a person or entity volunteering to provide services.
6	(6) "Place of business" means a permanent location or a portion of a
7	permanent location from which business, in a regulated profession or occupation, is
8	transacted.
9	(4) (7) "State chemist", notwithstanding anything in this Title to the contrary,
10	shall mean means the director of the Louisiana agricultural experiment station of the
11	Louisiana State University Agricultural Center and also shall mean his designee, who
12	shall be a member of the university's academic faculty and who, as determined by
13	the state chemist, possesses a practical understanding of a body of knowledge that
14	is sufficient to properly effect relevant analytical and microscopical work, research
15	that may contribute to the knowledge of the properties, values, and proper use of
16	commercial feeding stuffs, commercial fertilizers, and commercial insecticides and
17	fungicides in Louisiana, and other analyses, determinations, responsibilities, duties,
18	and obligations imposed on the state chemist in this Title.
19	(5) (8) "Sustainable" or "sustainable agriculture" means science-based
20	practices, including the use of technology, which lead to broad outcome-based
21	performance improvements to meet the needs of present and future generations while
22	advancing environmental, social and economic goals, and the well-being of
23	agricultural producers and rural communities. Critical outcomes to consider shall
24	include increasing agricultural productivity, improving human health through access
25	to safe, nutritious, and affordable food, and enhancing agricultural and surrounding
26	environments, including water, soil, and air quality.
27	* * *

§15. Application for license, permit, <u>certification, registration</u> , or certificate; social
security number required; <u>denial</u>
A. The department and each board or commission authorized to issue a
license, permit, certification, registration, or certificate under pursuant to this Title
shall require each applicant to include his social security number on the application.
* * *
C. Any department, board, or commission authorized to issue a license,
permit, certification, registration, or certificate pursuant to the provisions of this Title
may deny, revoke, or not renew such privileges if the applicant owes fees, fines,
taxes, deficiency assessments, or civil penalties.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Provides relative to the Dept. of Agriculture and Forestry's (department) authority to issue certifications and registrations. Provides definitions for "applicant", "person", and "place of business". Adds provisions for denial of a license, permit, certification, registration, or certificate.

<u>Present law</u> defines "commissioner", "department", "encumbrance", "state chemist", and "sustainable" or "sustainable agriculture" for the purposes of <u>present law</u>. <u>Proposed law</u> adds the definitions of "applicant", "person", and "place of business".

<u>Present law</u> authorizes the department, boards, and commissions to issue licenses, permits, and certificates. <u>Proposed law</u> adds authority to issue certifications and registrations. <u>Proposed law</u> adds authority for the department, boards, and commissions issuing licenses, permits, certifications, registrations, or certificates to deny, revoke, or not renew such privileges, if the applicant owes any monies.

(Amends R.S. 3:1 and 15(A); Adds R.S. 3:15(C))