

2024 Regular Session

HOUSE BILL NO. 910

BY REPRESENTATIVE ROMERO

HORTICULTURE/COMMISSION: Provides relative to the Horticulture Commission

1 AN ACT

2 To amend and reenact R.S. 3:3801(F)(introductory paragraph) and 3802(A), relative to the
3 Horticulture Commission; to transfer the authority to adopt rules and regulations
4 from the commission to the commissioner of agriculture and forestry; to require the
5 commission to enforce the rules and regulations adopted pursuant to law; to require
6 the commissioner to employ personnel for the commission; to provide for an
7 effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 3:3801(F)(introductory paragraph) and 3802(A) are hereby amended
10 and reenacted to read as follows:

11 §3801. Horticulture Commission

12 * * *

13 F. The ~~commission~~ commissioner is hereby authorized to adopt such rules
14 and regulations as are necessary to enforce the provisions of this Chapter, ~~and The~~
15 commission is hereby authorized to carry out the intent of the laws contained ~~therein~~
16 in this Chapter, including, but not limited to, rules and regulations for the following
17 purposes:

18 * * *

1 §3802. Chairman, secretary

2 A. The commissioner of agriculture and forestry shall be the chairman of the

3 commission. The ~~chairman~~ commission shall enforce the provisions of this Chapter

4 and the rules and regulations adopted ~~by the commission~~ pursuant to this Chapter.

5 The commissioner ~~and~~ shall employ such personnel, other than the director and

6 assistant director, as may be necessary to administer the provisions of this Chapter.

* * *

8 Section 2. This Act shall become effective upon signature by the governor or, if not

9 signed by the governor, upon expiration of the time for bills to become law without signature

10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

11 vetoed by the governor and subsequently approved by the legislature, this Act shall become

12 effective on the day following such approval.

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: Authorizes the commissioner of agriculture and forestry to adopt rules and regulations for the commission and requires the commissioner to employ personnel for the commission.

Present law authorizes the commission to adopt rules and regulations for the commission as are necessary and to carry out the intent of the present law including, but not limited to, the following:

- (1) To govern the qualifications and practices of persons engaged in the professions and occupations regulated by the commission.
- (2) To establish examinations for applications for licenses and to establish minimum scores necessary to pass those examinations.
- (3) To require the payment of examination fees, license fees, and permit fees as provided in present law.
- (4) To hold hearings and to conduct investigations.
- (5) To do all things necessary to prevent fraudulent practices by persons engaged in the professions and occupations regulated by the commission.
- (6) To encourage holders of licenses and permits to participate in continuing education programs approved by the commission.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

Proposed law modifies present law by transferring authority to the commissioner of agriculture and forestry to adopt rules and regulations for the commission.

Present law requires the chairman of the commission to enforce the provisions of present law and the rules and regulations adopted by the commission.

Proposed law modifies present law by requiring the commission to enforce the provisions of present law and removing the commission as the entity that adopts rules and regulations.

Present law requires the chairman of the commission to employ personnel of the commission.

Proposed law modifies present law by requiring the commissioner to employ personnel of the commission.

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

(Amends R.S. 3:3801(F)(intro. para.) and 3802(A))