

**LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY  
LEGISLATIVE OVERSIGHT REPORT**

**RE: Louisiana Agricultural Commodities Commission  
Number of Meetings per Quarter and  
Excessive Deduction Record-keeping Requirement (LAC 7:XXVII.103 and 141)**

This report is submitted electronically to the President of the Senate, Speaker of the House of Representatives, and the Senate and House Committees on Agriculture, Forestry, Aquaculture and Rural Development, in accordance with R.S. 49:968 regarding the intent by the Department of Agriculture and Forestry, Louisiana Agricultural Commodities Commission, to take the proposed action with regard to the above cited rules and regulations.

**I. THE PROPOSED ACTION**

The proposed action will amend LAC 7:XXVII.103 to eliminate the regulatory requirement that the Louisiana Agricultural Commodities Commission meet at least once per quarter as R.S. 3:3403 was recently amended to require that the commission meet three times per calendar year, but may meet more frequently upon the call of the chairman. The proposed rule change simply eliminates language that is inconsistent with current law. The proposed change to §141 clarifies language regarding one category of records that licensees must maintain, modifying it from excessive damage of 7.5% to language that more closely tracks the federal guidelines set forth in the U.S. Department of Agriculture's Grain Inspection Handbook.

**II. THE REASONS FOR THE PROPOSED ACTION**

The proposed change to §103 is being taken in order to comply with current law. Specifically, R.S. 3:4721 was recently amended to require that the commission meet three times per calendar year, but may meet more frequently upon the call of the chairman. The proposed rule change simply eliminates language that is inconsistent with current law.

The proposed change to §141 clarifies language regarding one category of records that licensees must maintain, modifying it from "excessive damage of 7.5%" to language that more closely tracks the federal guidelines set forth in the U.S. Department of Agriculture's Grain Inspection Handbook. The exact levels for excessive damage specific to each type of grain is expressly set forth in the federal guidelines. The proposed rule change incorporates the federal guideline language by reference, as if expressly stated therein.

**III. STATUTORY AUTHORITY**

The proposed change to §103 is authorized by R.S. 3:3403 and 3405.

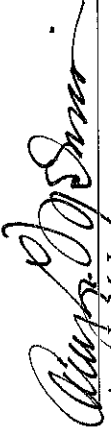
The proposed change to §141 is authorized by R.S. 3:3405, 3414.3, and 3419.

**IV. ATTACHMENTS**

A. The proposed action coded with any new rule or language underscored and with language to be deleted from an existing rule in struck-through type.

B. A copy of the fiscal and economic impact statements approved by the legislative fiscal office.

C. A copy of the Notice of Intent filed with the State Register.



Amy L. McInnis  
General Counsel, LDAF

2/6/2019

Date of signature