

2021 Regular Session

SENATE BILL NO. 103

BY SENATOR HENSGENS

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

AGRICULTURE/FOREST DEPT. Creates the Louisiana Equine Promotion and Research Program. (gov sig)

1 AN ACT

2 To enact Chapter 15-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised

3 of R.S. 3:2071 through 2077, and R.S. 36:629(T), relative to the creation of the

4 Louisiana Equine Promotion and Research Program; to create the Louisiana Equine

5 Promotion and Research Advisory Board; to provide for the composition, powers,

6 duties, and functions of the board; to authorize the commissioner of agriculture and

7 forestry to adopt rules and accept certain funds; to provide for the use of funds; to

8 provide for definitions; to provide for transfer of the board to the Department of

9 Agriculture and Forestry; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Chapter 15-A of Title 3 of the Louisiana Revised Statutes of 1950,

12 comprised of R.S. 3:2071 through 2077, is hereby enacted to read as follows:

13 **CHAPTER 15-A. LOUISIANA EQUINE PROMOTION AND**

14 **RESEARCH PROGRAM**

15 **§2071. Legislative intent**

16 **The legislature intends by this Chapter to authorize the equine industry**

17 **to establish a self-governed program to support the growth and development of**

1 the industry in Louisiana.

2 §2072. Name and purpose

3 A. The name of the program created and organized by this Chapter shall
4 be the Louisiana Equine Promotion and Research Program.

5 B. The purpose of the program is to support the growth and development
6 of the equine industry in Louisiana by enhancing research, education,
7 promotion, facilities, tourism, events, and equine-related activities throughout
8 the state.

9 §2073. Definitions

10 As used in this Chapter:

11 (1) "Board" means the Louisiana Equine Promotion and Research
12 Advisory Board.

13 (2) "Commissioner" means the commissioner of agriculture and
14 forestry.

15 (3) "Equine" means all members of the genus Equus, regardless of age,
16 including horses, ponies, mules, donkeys, and zebras.

17 (4) "Equine educational program" means any event focused on
18 improving a participant's understanding of equines.

19 (5) "Equine event" means any kind of show, exposition, contest, or
20 tournament where equines are shown competitively.

21 (6) "Equine facility" means any facility used to host equine events.

22 (7) "Equine industry member" means any person with an interest and
23 background in the requirements of owning, breeding, showing, or managing
24 equines.

25 (8) "Equine performance" means any discipline within the equine
26 industry where equines are used competitively or in exhibition.

27 (9) "Equine research" means any scholarly activity conducted to collect
28 scientific data utilizing experimental design.

29 (10) "Program" means the Louisiana Equine Promotion and Research

1 **Program.**

2 **(11) "Promotion of the equine industry" means the development of a**
3 **comprehensive marketing plan for the equine industry including a website,**
4 **social media, and an advertising program that includes all breeds, disciplines,**
5 **and equine-related activities.**

6 **(12) "Therapeutic riding and rehabilitation center" means any**
7 **Professional Association of Therapeutic Horsemanship International (PATH**
8 **Intl.) accredited program that utilizes equine-assisted activities to contribute**
9 **positively to the cognitive, physical, and social well-being of individuals.**

10 **(13) "Trail facility" means a facility with routes planned specifically for**
11 **public equine use as well as necessary support areas such as camping facilities.**

12 **§2074. The Louisiana Equine Promotion and Research Advisory Board;**
13 **creation and organization**

14 **A. The Louisiana Equine Promotion and Research Advisory Board is**
15 **hereby created within the Department of Agriculture and Forestry. The board**
16 **shall be domiciled in Baton Rouge.**

17 **B. The board shall consist of eleven members appointed by the**
18 **commissioner as follows:**

19 **(1) One member who is engaged in the equine event business appointed**
20 **from a list of three persons nominated by the Louisiana Farm Bureau**
21 **Federation, Inc.**

22 **(2) One member who is engaged in the trail facility business appointed**
23 **from a list of three persons nominated by the Louisiana Farm Bureau**
24 **Federation, Inc.**

25 **(3) One member who is engaged in equine educational programs from**
26 **an accredited postsecondary education institution in Louisiana.**

27 **(4) One member engaged in the promotion of the equine industry**
28 **appointed from a list of three persons nominated by the Louisiana Farm Bureau**
29 **Federation, Inc.**

1 **(5) One member who is engaged in equine research from an accredited**
2 **postsecondary education institution in Louisiana.**

3 **(6) Two members who are engaged in equine performance.**

4 **(7) Two members who are engaged in equine racing.**

5 **(8) One member who is an owner or operator of a therapeutic riding and**
6 **rehabilitation center appointed from a list of three persons nominated by the**
7 **Louisiana Farm Bureau Federation, Inc.**

8 **(9) One member who is an owner or operator of an equine facility**
9 **appointed from a list of three persons nominated by the Louisiana Farm Bureau**
10 **Federation, Inc.**

11 **C.(1) The commissioner, or his designee, shall serve as an ex officio**
12 **member in an advisory capacity only.**

13 **(2) The lieutenant governor, or his designee, shall serve as an ex officio**
14 **member in an advisory capacity only.**

15 **(3) The president of Louisiana Farm Bureau Federation, Inc., or his**
16 **designee, shall serve as an ex officio member in an advisory capacity only.**

17 **D. Members shall serve at the pleasure of the commissioner and shall**
18 **serve terms concurrent with the term of the commissioner making the**
19 **appointment.**

20 **E. An organization authorized to make nominations for appointment to**
21 **the board shall submit its list of nominees within thirty days after the**
22 **commissioner requests the list. The commissioner shall make all appointments**
23 **to the board no later than thirty days after receiving the list of nominees. The**
24 **board should be representative of the state's population by race and gender to**
25 **ensure diversity.**

26 **F. A vacancy in the office of a member shall be filled in the same manner**
27 **as the original appointment. Persons appointed to fill vacancies shall serve for**
28 **the unexpired portion of the vacated term.**

29 **G. A majority of the members of the board shall constitute a quorum for**

1 the transaction of business. All official actions of the board shall require the
2 affirmative vote of a majority of the members of the board present and voting.

3 H. Members of the board shall receive no compensation.

4 I. The board shall meet at least twice a year and may meet at other times
5 on the call of the chairman or any four members.

6 J. The board, by a vote of a majority of the members, may expel a
7 member for good cause shown. Good cause shall include but shall not be limited
8 to three consecutive unexcused absences. The expulsion of a member creates a
9 vacancy in the office of the expelled member.

10 K. The board shall meet and organize as soon as practicable after
11 appointment of the members, and shall elect a chairman, vice chairman, and
12 secretary-treasurer from the membership of the board, whose duties shall be
13 those customarily exercised by such officers or specifically designated by the
14 board. Officers shall serve a one-year term.

15 §2075. Powers and duties

16 A. The board shall:

17 (1) Advise the commissioner on the development and maintenance of the
18 Louisiana Equine Promotion and Research Program.

19 (2) Maintain a permanent record of its proceedings.

20 (3) Submit an annual report of its activities to the Senate Committee on
21 Agriculture, Forestry, Aquaculture, and Rural Development and the House
22 Committee on Agriculture, Forestry, Aquaculture, and Rural Development by
23 January first of each year.

24 B. The board may:

25 (1) Provide information to governmental entities upon request on
26 subjects of concern to the equine industry and collaborate with the state or
27 federal government on the development and administration of the program.

28 (2) Cooperate with any local, state, regional, or national organization or
29 agency engaged in activities consistent with the objectives of the program.

1 C. The commissioner may:

2 (1) Adopt such rules and regulations as are necessary to administer the
3 program. All rules and regulations shall be adopted in accordance with the
4 Administrative Procedure Act.

5 (2) Enter into contracts or other agreements to accomplish any purpose
6 authorized by this Chapter, including advertising, education, marketing,
7 promotion, research, or services.

8 §2076. Funding

9 To achieve the purposes of this Chapter, the commissioner may accept
10 and expend monies from any source, including gifts, contributions, donations,
11 state appropriations, and federal grants and may accept and use services from
12 individuals, corporations, and governmental entities.

13 §2077. Use of funds

14 Funds made available to the commissioner shall be expended to
15 effectuate the purposes of this Chapter including but not limited to the following
16 uses:

17 (1) To attract national contests, shows, and equine events to Louisiana.

18 (2) To develop and promote equine tourism through the enhancement of
19 equine trails and camping facilities.

20 (3) To support therapeutic riding and rehabilitation programs.

21 (4) To develop educational programs and disseminate educational
22 materials about the equine industry.

23 (5) To support the enhancement and maintenance of public multi-use
24 equine facilities.

25 (6) To promote activities, facilities, events, and the needs of the Louisiana
26 equine industry.

27 (7) To contract for scientific research with any accredited postsecondary
28 education institution or similar educational institution that will assist in
29 carrying out the purposes of the program, including equine health, welfare,

management, reproduction, nutrition, and general physiology.

Section 2. R.S. 36:629(T) is hereby enacted to read as follows:

§629. Transfer of boards, commissions, departments, and agencies to the

Department of Agriculture and Forestry

* * *

T. The Louisiana Equine Promotion and Research Advisory Board (R.S. 3:2071 et seq.) is placed within the Department of Agriculture and Forestry and shall perform and exercise its powers, duties, functions, and responsibilities as provided by law.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument was prepared by Curry J. Lann. The following digest, which does not constitute a part of the legislative instrument, was prepared by Tammy Crain-Waldrop.

DIGEST

SB 103 Reengrossed

2021 Regular Session

Hensgens

Proposed law establishes the La. Equine Promotion and Research Program to support the growth and development of the equine industry in Louisiana.

Proposed law defines the following terms:

- (1) "Board" means the La. Equine Promotion and Research Advisory Board.
- (2) "Commissioner" means the commissioner of agriculture and forestry.
- (3) "Equine" means all members of the genus Equus, regardless of age, including horses, ponies, mules, donkeys, and zebras.
- (4) "Equine educational program" means any event focused on improving a participant's understanding of equines.
- (5) "Equine event" means any kind of show, exposition, contest, or tournament where equines are shown competitively.
- (6) "Equine facility" means any facility used to host equine events.
- (7) "Equine industry member" means any person with an interest and background in the requirements of owning, breeding, showing, or managing equines.

- (8) "Equine performance" means any discipline within the equine industry where equines are used competitively or in exhibition.
- (9) "Equine research" means any scholarly activity conducted to collect scientific data utilizing experimental design.
- (10) "Program" means the La. Equine Promotion and Research Program.
- (11) "Promotion of the equine industry" means the development of a comprehensive marketing plan for the equine industry including a website, social media, and an advertising program that includes all breeds, disciplines, and equine-related activities.
- (12) "Therapeutic riding and rehabilitation center" means any Professional Association of Therapeutic Horsemanship International (PATH Intl.) accredited program that utilizes equine-assisted activities to contribute positively to the cognitive, physical, and social well-being of individuals.
- (13) "Trail facility" means a facility with routes planned specifically for public equine use as well as necessary support areas such as camping facilities.

Proposed law creates the La. Equine Promotion and Research Advisory Board within the Dept. of Agriculture and Forestry.

Proposed law provides that the board shall consist of eleven members appointed by the commissioner as follows:

- (1) One member who is engaged in the equine event business appointed from a list of three persons nominated by the La. Farm Bureau Federation, Inc.
- (2) One member who is engaged in the trail facility business appointed from a list of three persons nominated by the La. Farm Bureau Federation, Inc.
- (3) One member who is engaged in equine educational programs from an accredited postsecondary education institution in Louisiana.
- (4) One member engaged in the promotion of the equine industry appointed from a list of three persons nominated by the Louisiana Farm Bureau Federation, Inc.
- (5) One member who is engaged in equine research from an accredited postsecondary education institution in Louisiana.
- (6) Two members who are engaged in equine performance.
- (7) Two members who are engage in equine racing.
- (8) One member who is an owner or operator of a therapeutic riding and rehabilitation center appointed from a list of three persons nominated by the La. Farm Bureau Federation, Inc.
- (9) One member who is an owner or operator of an equine facility appointed from a list of three persons nominated by the La. Farm Bureau Federation, Inc.

Proposed law requires the commissioner, the lieutenant governor, and the president of the La. Farm Bureau Federation, Inc., or their designees, to serve as ex officio members in an advisory capacity only.

Proposed law provides for the organization and administration of the board, including

provisions for nominations, the length of terms, vacancies, quorum requirements, expulsions, meeting requirements, and the appointment of officers.

Proposed law provides the board should be representative of the state's population by race and gender to ensure diversity.

Proposed law prohibits members of the board from receiving any compensation.

Proposed law requires the board to:

- (1) Advise the commissioner on the development and maintenance of the La. Equine Promotion and Research Program.
- (2) Maintain a permanent record of its proceedings.
- (3) Submit an annual report of its activities to the Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development and the House Committee on Agriculture, Forestry, Aquaculture, and Rural Development by January first of each year.

Proposed law authorizes the board to:

- (1) Provide information to governmental entities upon request on subjects of concern to the equine industry and collaborate with the state or federal government on the development and administration of the program.
- (2) Cooperate with any local, state, regional, or national organization or agency engaged in activities consistent with the objectives of the program.

Proposed law authorizes the commissioner to:

- (1) Adopt rules and regulations as are necessary to administer the program.
- (2) Enter into contracts or other agreements to accomplish any purpose authorized by proposed law, including advertising, education, marketing, promotion, research, or services.

Proposed law authorizes the commissioner to accept and expend monies from any source, including gifts, contributions, donations, state appropriations, and federal grants, and to accept and use services from individuals, corporations, and governmental entities.

Proposed law requires all funds made available to the commissioner be expended only to effectuate the purposes of proposed law, including the following uses:

- (1) To attract national contests, shows, and equine events to Louisiana.
- (2) To develop and promote equine tourism through the enhancement of equine trails and camping facilities.
- (3) To support therapeutic riding and rehabilitation programs.
- (4) To develop educational programs and disseminate educational materials on the equine industry.
- (5) To support the enhancement and maintenance of public multi-use equine facilities.
- (6) To promote activities, facilities, events, and the needs of the Louisiana equine industry.

- (7) To contract for scientific research with any accredited postsecondary education institution or similar educational institution that will assist in carrying out the purposes of the program, including equine health, welfare, management, reproduction, nutrition, and general physiology.

Proposed law provides for the transfer of the board to the Dept. of Agriculture and Forestry as provided by law.

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

(Adds R.S. 3:2071-2077 and R.S. 36:629(T))

Summary of Amendments Adopted by Senate

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

1. Expands the definition of "trail facility" to include facilities with routes planned specifically for public equine use.

Senate Floor Amendments to engrossed bill

1. Provides that the board should be representative of the state's population by race and gender to ensure diversity.