

product raised or cultivated of every type and description, including but not limited to cattle, hogs, sheep, horses, bees, rabbits, or poultry, and oysters, crabs, prawns, shrimp, alligators, turtles, and fish raised, produced, cultivated, harvested, or gathered on any beds of bodies of water, whether owned, leased, or licensed by the debtor, grains, beans, vegetables, grasses, legumes, melons, tobacco, cotton, flowers, shrubberies, plants and fruits, nuts and berries, and other similar products whether of trees or other sources, or if they are a product of such crop or livestock in its unmanufactured state, such as seed, ginned cotton, wool-clip, honey, syrup, meat, milk, eggs, and cut, harvested, or standing timber, or supplies used or produced in farming operations, and if they are in the possession, including civil possession as defined in Civil Code articles 3421 and 3431, of a debtor engaged in planting, producing, raising, cultivating, harvesting, gathering, fattening, grazing, or other farming operations.

Filing—the receipt of an EFS, amendment, assignment, continuation, release, or termination of an EFS by the filing officer stamped with the date and time received and assigned a file number.

Filing Officer—the clerk of court of any parish.

Knows or Knowledge—actual knowledge.

Master List—a document listing all effective financing statements, amendments, assignments, and continuations of effective financing statements which:

1. is organized according to farm products; and
2. is arranged within each such product:
 - a. in alphabetical order according to the last name of the individual debtors, or, in the case of debtors doing business other than as individuals, the first word in the name of such debtors;
 - b. in numerical order according to the Social Security number of the individual debtors, or, in the case of debtors doing business other than as individuals, the Social Security number or employer identification number of such debtors;
 - c. geographically by parish; and
 - d. by crop year.

Office—the Office of the Secretary of State of the state of Louisiana.

Person—any individual, partnership, corporation, trust or any other business entity.

Portion—portion of the master list distributed to registrants regularly that cover the farm products in which such registrant has indicated an interest.

Registrant—any person, who has made application with the Office of the Secretary of State, has paid the required registration fee, and received written notice that his application has been accepted.

Regular Business Day—any day that the Office of the Secretary of State and filing officers are open for routine business.

Secretary—the Secretary of State of the state of Louisiana, or his duly authorized agent.

Secured Party—a creditor with a security interest in farm products.

Security Device—a written instrument that establishes a creditor's security interest in farm products or any pledge or privilege described in R.S. 9:4521, whether or not evidenced by a written instrument.

Security Interest—an interest in or encumbrance upon farm products that secures payment or performance of an obligation.

Selling Agent—a person, other than a commission merchant, who is engaged in the business of negotiating the sale and purchase of any farm product on behalf of a person engaged in farm operations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3652, R.S. 3:3654, R.S. 3:3655, R.S. 10:9-526, R.S. 36:742, Civil Code Articles 3421 and 3431, and Public Law 99-198 (Food Security Act of 1985).

HISTORICAL NOTE: Promulgated by the Department of State, Commercial Division, Office of Uniform Commercial Code, LR 39:2794 (October 2013), amended LR 40:1387 (July 2014).

§307. Filing Procedures

A. The proper place to file in order to perfect a security interest in farm products is with the clerk of court of any parish (the “filing officer”).

B. - L. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3651 et seq., R.S. 10:9-526, R.S. 36:742, and Public Law 99-198 (Food Security Act of 1985).

HISTORICAL NOTE: Promulgated by the Department of State, Commercial Division, Office of Uniform Commercial Code, LR 39:2795 (October 2013), amended LR 40:1388 (July 2014).

Tom Schedler
Secretary of State

1407#033

RULE

Department of Transportation and Development Professional Engineering and Land Surveying Board

Board Committees and Examination/Experience
Requirements for Professional Engineer Licensure
(LAC 46:LXI. 707, 1305, and 1509)

Under the authority of the Louisiana professional engineering and land surveying licensure law, R.S. 37:681 et seq., and in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., the Louisiana Professional Engineering and Land Surveying Board has amended its rules contained in LAC 46:LXI.707, 1305, and 1509.

This is a technical revision of existing rules under which LAPELS operates. The revisions include an update to the structure and duties of various board standing committees and the decoupling of the examination and experience requirements for professional engineer licensure for certain applicants.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LXI. Professional Engineers and Land Surveyors Chapter 7. Bylaws

§707. Board Organization

A. - D.4. ...

E. Committees. The board may establish standing committees, including but not limited to the following: executive committee, engineering committees, land surveying committee, engineer intern committee, liaison and law review committee, education/accreditation committee,

finance committee, nominations and awards committee, complaint review committees, continuing professional development committee, firm licensure committee, and enforcement committee. The board may also establish ad hoc committees from time to time as necessary.

1. Power to Appoint. Unless otherwise provided below, the chairman of the board shall have the power to make all committee appointments. All committee appointments shall be effective from date of appointment until March 31 of the following year.

2. Executive Committee. The chairman, vice chairman, secretary, and treasurer shall constitute the executive committee. The chairman of the board shall serve as chairman of the executive committee. The executive committee shall oversee the operations of the office of the board and shall advise the executive director as to the conduct of the business of the board between meetings. The executive committee shall also make recommendations to the board with respect to personnel, policies and procedures.

3. Engineering Committees. The chairman of the board shall appoint one or more engineering committees, with not less than two board members on each committee. At least two of the board members on each engineering committee shall be professional engineers. Each of these committees shall:

- a. review applications for licensure in each respective discipline of engineering; and
- b. recommend approval or disapproval of applications.

4. Land Surveying Committee. The chairman of the board shall appoint a land surveying committee composed of not less than two board members. At least two of the board members on the land surveying committee shall be professional land surveyors. The land surveying committee shall:

- a. - b. ...
- c. recommend approval or disapproval of applications;
- d. conduct oral examinations or interviews of applicants, as necessary;
- e. supervise the selection of examinations on the Louisiana laws of land surveying; and
- f. recommend passing scores for the examinations on the Louisiana laws of land surveying.

5. Engineer Intern Committee. The chairman of the board shall appoint an engineer intern committee composed of not less than two board members. At least two of the board members on the engineer intern committee shall be professional engineers. The engineer intern committee shall review, as necessary, applications for certification as an engineer intern and shall recommend approval or disapproval of applications.

6. Liaison and Law Review Committee. The chairman of the board shall appoint a liaison and law review committee composed of not less than two board members. The liaison and law review committee shall work with similar committees of professional and technical organizations on matters of mutual concern. The liaison and law review committee shall also make recommendations to the board in matters concerned with the licensure law and the rules of the board.

7. Education/Accreditation Committee. The chairman of the board shall appoint an education/accreditation committee composed of not less than two board members. The education/accreditation committee shall evaluate and make recommendations to the board concerning the quality of the engineering and land surveying curricula, along with evaluation of the faculties and facilities of schools within Louisiana. The education/accreditation committee shall also have the power to make inspections in the course of its evaluations.

8. Finance Committee. The chairman of the board shall appoint a finance committee composed of not less than two board members. The treasurer will serve as the chairman of the finance committee. The finance committee shall make studies, reports and recommendations to the board on fiscal matters. The finance committee shall also prepare a budget for presentation to the board no later than the November meeting.

9. Nominations and Awards Committee. The chairman of the board shall appoint a nominations and awards committee composed of not less than two board members. The nominations and awards committee shall present to the board a list of nominations for election of board officers and for any applicable awards.

10. Complaint Review Committees. Complaint review committees shall be composed of not less than three board members appointed by the enforcement staff on a case-by-case basis. Complaint review committees shall review the results of investigations against licensees, certificate holders and unlicensed persons; decide whether or not to prefer charges; and/or recommend appropriate action to the board. Any decision, including the preferal of charges, shall be made by a minimum two-thirds vote of the board members serving on a committee.

11. Continuing Professional Development Committee. The chairman of the board shall appoint a continuing professional development committee composed of not less than two board members. The continuing professional development committee shall review and make recommendations to the board regarding continuing professional development rules, policies and providers/sponsors.

12. Firm Licensure Committee. The chairman of the board shall appoint a firm licensure committee composed of not less than two board members. The firm licensure committee shall review and make recommendations to the board regarding applications for firm licensure and other issues relating to firm licensure.

13. Enforcement Committee. The chairman of the board shall appoint an enforcement committee composed of not less than two board members. At least one of the board members on the enforcement committee shall be a professional engineer and at least one of the board members shall be a professional land surveyor. The enforcement committee shall make recommendations to the board regarding the board's investigative, disciplinary and enforcement policies, procedures and practices.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:52 (February

1976), amended LR 5:110 (May 1979), LR 11:1179 (December 1985), LR 19:54 (January 1993), LR 21:1353 (December 1995), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1024 (July 2001), LR 30:1707 (August 2004), LR 33:2788 (December 2007), LR 35:1908 (September 2009), LR 37:2411 (August 2011), LR 38:2563 (October 2012), LR 40:1388 (July 2014).

Chapter 13. Examinations

§1305. Approval to Take the Examination in the Principles and Practice of Engineering

A. An applicant who meets all of the other requirements for licensure as a professional engineer may be permitted to take the examination in the principles and practice of engineering in the discipline in which he/she seeks licensure.

B. An applicant who has already been duly certified as an engineer intern by the board, but has not yet met the experience requirement for licensure as a professional engineer, may be permitted to take the examination in the principles and practice of engineering in the discipline in which he/she seeks licensure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:113 (May 1979), amended LR 7:647 (December 1981), LR 11:363 (April 1985), LR 11:950 (October 1985), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1030 (July 2001), LR 30:1715 (August 2004), LR 40:1390 (July 2014).

Chapter 15. Experience

§1509. Experience at Time of Application

A. ...

B. For applicants for professional engineer licensure under §903.A.1 of these rules who have not already been duly certified as engineer interns by the board, the “verifiable record of four years or more of progressive experience obtained subsequent to meeting the educational and applicable experience qualifications to be an engineer intern” must be gained by the time of application. However, for any such applicant who has already been duly certified as an engineer intern by the board, such experience may be gained up to the time of licensure, rather than by the time of application.

C. For applicants for professional land surveyor licensure under §909.A.1 of these rules, the “verifiable record of four years or more of combined office and field experience in land surveying including two years or more of progressive experience on land surveying projects under the supervision of a professional land surveyor” must be gained by the time of application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Surveying Board, LR 27:1031 (July 2001), amended LR 30:1716 (August 2004), LR 37:2413 (August 2011), LR 38:2565 (October 2012), LR 40:1390 (July 2014).

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Executive Director

1407#041

RULE

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Wild Seafood Certification Program (LAC 76:1.701, 704, 705, and 709)

Editor’s Note: This Rule is being repromulgated because of an error upon submission. Substantive changes were published in a Potpourri in the January 2014 edition of the *Louisiana Register* (pages 193-194). The original Rule can be viewed in the April 2014 edition of the *Louisiana Register* (pages 804-806).

The secretary of wildlife and fisheries hereby establishes rules and regulations which require product registration and supply chain verification for certain participants in the Louisiana Wild Seafood Certification Program (R.S. 56:578.15). The changes to the Louisiana Wild Seafood Certification Program will enable the department to better verify and monitor seafood products and businesses using the programs logo. The seafood certification program strives to increase consumer confidence and increase demand for Louisiana seafood. The primary mission with this origin-based certification program is to build a unified brand that will attract not only consumers, but also food service and seafood distribution buyers who want to be sure they are sourcing the best tasting seafood in the world: Louisiana seafood.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this final Rule.

Title 76

WILDLIFE AND FISHERIES

Part I. Wildlife and Fisheries Commission and Agencies Thereunder

Chapter 7. Louisiana Wild Seafood Certification Program

§701. Declaration of Policy, Purposes, and Intent

A. ...

B. For the purpose of this Chapter, the following will be defined as:

Commingled—to cause to blend together, mix or combine; particularly as it applies to mixing non-certified seafood with LWSCP products;

Landed—taken and brought ashore;

LDAF—Louisiana Department of Agriculture and Forestry;

LDHH—Louisiana Department of Health and Hospitals;

LDWF—Louisiana Department of Wildlife and Fisheries;

LWSCP—Louisiana Wild Seafood Certification Program;

Origin Test—method of verifying product was taken from the Gulf of Mexico or Louisiana waters;

Packaged—product that is contained in a closed and sealed package or container for sale which contains product labeling and designated weight, count, or volume;

Processed—any method of preparing fish or fish products for market including drying to a point of