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## SENATE BILL NO. 321

Offered January 25, 1994

*A BILL to amend and reenact §§ 3.1-4 and 3.1-14 of the Code of Virginia, relating to the definition of horse for purposes of Title 3.1.*

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Patron—Nolen

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Referred to the Committee on Agriculture, Conservation and Natural Resources

**Be it enacted by the General Assembly of Virginia:****1. That §§ 3.1-4 and 3.1-14 of the Code of Virginia are amended and reenacted as follows:****§ 3.1-4. Powers in general.**

The Board shall be charged with all matters tending to the promotion of the agricultural interests of the Commonwealth. It shall have power to receive and hold in trust any donation made to it for the advancement of the agricultural interests of the Commonwealth and to administer the same.

The Board shall have power to purchase or lease land, not to exceed one thousand acres, for the programs of the Department, and it shall regulate and prescribe the salaries of such officers and employees of the Department who shall be employed in such programs.

The Board shall also be required to advise the Governor on the state of the agricultural industry and to further advise him on a course of action to include, but be not limited to, one that will promote its development; to encourage persons, agencies, organizations and industries to implement a development program and counsel the same in this development; to work closely with all agencies concerned with rural resources development and coordinate efforts toward maximum farm and off-farm employment; to examine marketing procedures and new techniques for selling Virginia's farm products; and to formulate plans for developing new markets for such products; and such other matters as the Governor may request.

*The Board shall, unless an intent is expressly stated otherwise, interpret the term "horse" or "equine" when used in this title to mean an agricultural or livestock animal.*

**§ 3.1-14. Powers and duties in general; rules and regulations of Board of Agriculture and Consumer Services; records to be held in confidence.**

A. 1. The Commissioner shall see to the proper execution of the laws relating to the subject of his Department, and he shall investigate and promote such subjects relating to the improvement of agriculture, the beneficial use of commercial fertilizer and compost, and for the inducement of immigration and capital, and he shall be especially charged with the supervision of the trade in commercial fertilizers as will best protect the interests of the farmers with the enforcement of the laws which are or may be enacted in this Commonwealth concerning the sale of commercial fertilizers, seed and food products, with authority in the Board of Agriculture and Consumer Services to make rules and regulations governing the same, and to publish them as required by law. *He shall ensure that, unless an intent is expressly stated otherwise, the term "horse" or "equine," when used in this title, shall be considered to mean an agricultural or livestock animal.*

2. He shall be charged with the inducement of capital and immigration, by the dissemination of information relative to the advantages of soil, climate, healthfulness and markets of this Commonwealth, and to resources and industrial opportunities offered in the Commonwealth as he may deem useful, and also with investigation adapted to promote the improvement of the milk and beef cattle and other stock.

3. (Expires July 1, 1994) He, or his duly authorized representative, shall have the authority, as provided in § 59.1-308.2, to inquire into consumer complaints regarding violations of § 46.2-1231 or § 46.2-1233.1 involving businesses engaged in towing vehicles or to refer the complaint directly to the appropriate local enforcement officials. The provisions of this subdivision shall expire July 1, 1994.

4. He shall have such other powers and duties as are prescribed by law.

B. The Commissioner shall hold the following records of the Department in confidence unless otherwise directed by the Governor or Board:

1. Schedules of work for regulatory inspection;
2. Trade secrets and commercial or financial information supplied by individuals or business entities to the Department;
3. Reports of criminal violations made to the Department by persons outside the Department;
4. Records of active investigations until the investigations are closed;
5. Financial records of applicants for assistance from the Virginia Farm Loan Revolving Account except those records which are otherwise a matter of public record;
6. Tax returns required by the agricultural commodity commissions established pursuant to this title

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**60** to the extent necessary to protect the privacy of individual taxpayers.