

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6324**

**BILL NUMBER:** SB 116

**NOTE PREPARED:** Feb 25, 2010

**BILL AMENDED:** Feb 18, 2010

**SUBJECT:** Livestock and Poultry Care and Responsibilities of the Seed Commissioner

**FIRST AUTHOR:** Sen. Head

**FIRST SPONSOR:** Rep. Goodin

**BILL STATUS:** As Passed House

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State

**Summary of Legislation:** (Amended) *Board of Animal Health (BOAH)*. This bill allows the BOAH to assist organizations that represent poultry producers with issues related to poultry. It allows BOAH to establish standards governing the care of livestock and poultry.

*Responsibilities of the Seed Commissioner.* This bill allows the Seed Commissioner to issue a special use permit for use of seeds of certain plant species for the purpose of research, development, production, or education. It allows the Seed Commissioner to adopt rules establishing certain fees and civil fines. It requires that rules for tags and label fees be adopted before July 1, 2011.

**Effective Date:** (Amended) Upon Passage; July 1, 2010; July 1, 2011.

**Explanation of State Expenditures:** (Revised) *Board of Animal Health (BOAH)*. BOAH has no formal program to assist poultry producers with care issues. Usually, BOAH assists producers through consultation with the State Poultry Association.

BOAH has not established standards governing the care of livestock and poultry. Additional costs to the BOAH to establish standards would involve usual rulemaking costs that BOAH should be able to be implemented with no additional appropriations, assuming near customary agency staffing and resource levels.

If an inspection program accompanies the standards, BOAH would experience additional increases in costs. Over 30,000 livestock premises exist in Indiana, not including poultry premises.

Without regular inspections, BOAH could encourage compliance with standards through producer education.

BOAH would likely view complaints or other issues relating to alleged violations of its standards of care for livestock and poultry as an extension or off-shoot of its current program to assist local law enforcement in evaluating allegations of abuse and neglect. BOAH assists law enforcement with around 70 cases alleging abuse or neglect of animals each year.

(Revised) *Responsibilities of the Seed Commissioner--Special Use Permit.* The bill provides that the State Seed Commissioner must issue a written special use permit to a person for use of seeds of plant species for purposes of research, development, production, or education. This provision should have no significant impact.

(Revised) *Responsibilities of the Seed Commissioner.* This bill allows the Seed Commissioner to adopt rules establishing certain fees and civil fines. The bill requires that rules for tags and label fees be adopted before July 1, 2011. The bill's requirements are within the Seed Commissioner's routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary agency staffing and resource levels.

**Explanation of State Revenues:** (Revised) *Responsibilities of the Seed Commissioner.* This bill deletes certain fees and fines associated with the tags and labeling of seeds effective July 1, 2011 and allows the Seed Commissioner to adopt rules establishing fees and civil fines. The impact this provision will have on revenue will depend upon fees and fines established by the Commissioner relative to revenue generated by existing fees specified in statute. Currently, the seed inspection fees generate \$597,000. Fee revenue is deposited in the State Chemist Seed Account.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** BOAH; State Seed Commissioner at Purdue University.

**Local Agencies Affected:**

**Information Sources:** Gary L. Haynes, Director of Legal Affairs, Licensing, and Enforcement, BOAH, 805 Beachway Drive, Suite 50, Indianapolis, IN 46224, 317-227-0349, [ghaynes@boah.in.gov](mailto:ghaynes@boah.in.gov); [www.http://www.in.gov/boah/](http://www.in.gov/boah/); John Baugh, Director, Agriculture Services and Regulations, Purdue University, Office of the Dean of Agriculture, AGAD Building, 615 W. State Street, West Lafayette, IN 47907-2053, 765.427.5063.

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