



AGRIBUSINESS COUNCIL OF INDIANA NEWSLETTER
Promoting Agribusiness Policy in Indiana
April 14, 2017

Legislative Developments at the Indiana Statehouse

HB 1235- Regulation of Processed Manure Based Fertilizer

HB 1235 will require the State Chemist to adopt rules regulating the distribution of manure based fertilizer. Representative Lehe, the bill's author, filed a motion to dissent with the Senate's amended version of HB 1235 last week. The conference committee for HB 1235 met on Wednesday to discuss the bill. Representative Lehe called for a recess, and the committee will likely reconvene sometime next week.

Language within HB 1235 will likely be amended to provide emergency rulemaking to the Indiana State Chemist Office to counteract new invasive seed types. This is especially relevant to certain conservation seed mixes. These new powers to the State Chemist promise to be limited in scope, and ACI believes that the State Chemist is one of the most evidence-based policy agencies within State government. We are supportive of this language.

Conference Committees

Generally, ACI has achieved policy gains in terms of tax reform, transportation of agricultural goods, and seed and feed. Further, ACI has managed to mitigate most of the harm that would have resulted from HB 1237- Grain Buyers and Warehouse Licensing.

Please keep in mind that the Grain buyers and Warehouse Licensing Agency is currently developing educational materials pursuant to House Enrolled Act 1237 (formerly known as HB 1237- Grain Buyers and Warehouse Licensing). ACI expects these pamphlets to be made available to the public shortly after the Governor has signed the bill into law. We will keep ACI members promptly advised of any new information on the topic.

The General Assembly has continued the process of conference committees, and has one week left before the *Sine Die* adjournment deadline. Please see below for ACI's bills of interest that have 'died,' been sent to the Governor, or referred to Conference Committee.

Status of ACI Tracked Bills

HB 1234- Storage of Agricultural Ammonia

Provides for the regulation by the State Chemist of farmer-owned facilities that store ammonia or ammonia solutions.

The Senate heard HB 1234 on Third Reading this past Monday. The bill passed by a vote of 47-0, and returned to Representative Lehe in the House, where he filed a motion to concur.

SB 421- Above Ground Storage Tanks

Repeals the law requiring owners of certain above ground storage tanks to register their tanks with the Indiana Department of Environmental Management.

The House heard SB 421 on Third Reading on March 28. The bill passed by a vote of 95-0, and was returned without amendments to Senator Bassler in the Senate. The bill will now head to the Governor for his consideration.

HB 1018-Vehicle Operation

Forbids a transport vehicle from driving on a highway without being covered or otherwise secured. The bill provides an exception for transports containing agricultural commodities.

HB 1018 passed out of the House by a vote of 62-29, however it did not move out of its assigned Senate committee to which it was assigned and is now “dead.”

HB 1447- Transportation of Agricultural Commodities

Prohibits the Bureau of Motor Vehicles from assessing points against CDL drivers for violating commercial size and weight limitations. It also stipulates that points assessed by the Bureau of Motor Vehicles against a person after December 31, 2015 are null and void.

HB 1447 passed out of the Senate by a vote of 50-0, and has been returned to the House with amendments. Representative Friend, the bill’s author, filed a motion to concur this past Thursday.

HB 1002- Transportation Infrastructure Funding

Apportions funding for new roadway infrastructure through an increased gas sales tax along with a few other tax levies.

The Conference Committee for HB 1002 met this Monday to hear testimony from the public. Almost all of the testimony voice support for the House’s version of HB 1002 for its larger allocation of money to build and maintain Indiana highways. After a brief discussion from the committee members, Chairman Soliday called a recess on the bill and will likely be heard again next week.

The House version of HB 1002 will generate \$1.1 billion a year for road infrastructure, whereas the Senate version of HB 1002 will only generate \$672 million a year. ACI fully

supports HB 1002 as amended by the House, as it promises higher quality roadways for Indiana's residents and businesses.

SB 515- Various Tax Matters

Provides for various tax exemptions and deductions, the exemption of chief interest to ACI is the sales tax exemption for agricultural machinery.

Senator Hershman filed a motion to dissent with the House's version of SB 515, and has been assigned to Conference Committee. While ACI believes that the sales tax exemption for agricultural machinery will not change, our members should be aware that other parts of this bill may be amended throughout the conference process.

In Other News...

New Rule from the Indiana Pesticide Review Board

The Indiana Pesticide Review Board issued a public notice on its intent to adopt a new rule this Wednesday. The new rule would alter the language of 357 IAC 1-7 to expand the list of restricted pesticide products, including herbicides containing dicamba. The rule will become effective thirty (30) days after filing. The official notice can be found [here](#).

If you have any questions regarding the new list of restricted products, please contact the Secretary of the Indiana Pesticide Review Board, David Scott, at (765) 494-1593 or scottde@purdue.edu.

Web-Based Hazard Assessment Tool

The NGFA Foundation has made a web-based hazard-assessment tool to assist member companies comply with the Food and Drug Administration's new regulations pursuant to the Food Safety Modernization Act. This new tool may be found on the NGFA [website](#).

Planting Season Reminder

It's that time of year again, and it's important to keep in mind some key tips on safety:

- Transport Safely
 - o Be sure to use warning signs while using public roads. This will help keep drivers aware of the possible danger, and mitigate accidents.
- Follow the Label
 - o Labels are important as they contain product warnings and directions for proper use.
- Maintain Equipment
 - o Make sure your equipment is well maintained and that it's been inspected before seasonal use. If you had your equipment serviced before the end of last season, it does not mean the equipment is still in proper condition.
- Store Fuel Properly

- Store fuel away from machinery and fire sources. Keeping your fuel containers secured ensures that damage is minimal in the event of a fire.
- Stay Healthy
 - Despite working long hours, agribusiness operators should still eat and sleep well. Sleep deprivation or malnutrition results in a deterioration of mental functions, meaning that equipment operation is more dangerous.
- Watch for Children
 - Noisy and large equipment can attract curious children. It's important to make sure your children are safely secured at all times.

Updated Key Dates for the 2017 General Assembly

April 21- Anticipated *Sine Die*

To review all bills ACI is tracking, click here: [Link](#).

To read the full text of this session's bills, click here: [Link](#).

Full calendars can be found at the following links: [House Calendar](#) & [Senate Calendar](#).

Please direct any questions, comments, or edits of the Bill Track Report to Mark Shublak at (317)-236-5981; mark.shublak@icemiller.com or Lesa Dietrick at (317)-236-2252; lesa.dietrick@icemiller.com.