



AGRIBUSINESS COUNCIL OF INDIANA NEWSLETTER

Promoting Agribusiness Policy in Indiana

April 7, 2017

Legislative Developments at the Indiana Statehouse

Conference Committees

Thursday was the third reading deadline for both chambers of the General Assembly, bills that did not receive an affirmative vote in the second chamber and returned to the originating chamber by this deadline are now considered ‘dead.’

Bill authors will now have the opportunity to concur or dissent with changes made to their bills. If an author files a motion of concurrence, that concurrence needs to be voted on by the full House or Senate before it can be given to the Governor. After the motion to concur and subsequent floor vote, the bill will be sent to the Governor for signing, veto, or become law without his signature. However, if an author files a motion of dissent, the bill may be scheduled for a Conference Committee to resolve the differing versions of the bill. Please see below for ACI’s bills of interest that have ‘died,’ been sent to the Governor, or referred to Conference Committee.

HB 1237- Grain Buyers and Warehousing Licensing

Last Thursday, Representative Lehe filed a motion to concur for House Bill 1237. This means that, as author, Lehe agrees with the amendments made to HB 1237 while it was heard in the Senate and will now be eligible for the Governor’s signature.

The finalized version of HB 1237 is the product of constant ACI advocacy and diligence. While retroactive coverage still exists for the “Cline failure,” the amended bill no longer contains onerous language that going forward would have been difficult for our members.

If you have any questions regarding the final language contained in HB 1237, please contact Mark Shublak at (317)-236-5981; mark.shublak@icemiller.com.

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.

HB 1235- Regulation of Processed Manure Based Fertilizer

Requires the State Chemist to adopt rules regulating the distribution of manure based fertilizer.

The Senate heard HB 1235 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 dissent. The bill will be referred to Conference Committee where the topic of emergency rulemaking authority for the Office of the State Chemist will be discussed.

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.

In Other News...

Federal Regulatory Reform

True to his campaign platform, President Trump has taken aim at the federal government’s regulatory environment. This past January, President Trump signed an executive order requiring all federal agencies to roll back regulations. Pursuant to this order, the Department of Commerce has requested public comments on its regulatory scheme and its impact on the manufacturing industry.

Regulatory reform promises efficiency and a streamlined business-to-consumer model by cutting back on duplicative, unnecessary, and burdensome federal oversight. President Trump's proposed reform has been well-received by ACI, and we look forward to working with the Administration to provide a more hospitable climate for agribusinesses.

FDA Industry Guidance

The FDA has issued guidance for industry, specifically stating what can qualify as a unique facility identifier under the Food Safety Modernization Act Foreign Supplier Verification Program regulations.

Last week, the Food and Drug Administration (FDA) [announced guidance](#) for the food industry. The guidelines, titled "Recognition of Acceptable Unique Facility Identifier (UFI) for the Foreign Supplier Verification Programs (FSVP) Regulation," allow for the use of Dun & Bradstreet Data Universal Numbering System ("DUNS") numbers for identifying the FSVP importer to FDA when filing entry for imported food.

In the guidance, FDA states:

Currently, FDA finds the DUNS number appropriate to meet agency needs to accurately identify FSVP importers so we can effectively implement, monitor compliance with, and enforce the FSVP requirements. The DUNS number is available free of charge to all importers, and can be obtained by contacting D&B by phone at 866-705-5711 or via email at govt@dnb.com, or by visiting D&B's websites at <http://www.dnb.com/duns-number.html> or <https://fdadunslookup.com>. Although a DUNS number may be obtained within a few business days, in some circumstances it could take up to 45 days or more.

The timing for guidance is crucial, as some animal food importers will need to comply with the FSVP regulations by May 31.

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
 - o 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
 - o 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
 - o 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 10- Conference Committees Begin

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.