



AGRIBUSINESS COUNCIL OF INDIANA NEWSLETTER
Promoting Agribusiness Policy in Indiana
March 10, 2017

Legislative Developments at the Indiana Statehouse

Prioritized Agribusiness Bills

There were no bills heard this week that are on ACI's watch list. However, the House Committee on Agriculture and Rural Development will hear the following bills next week:

SB 294- Bovine tuberculosis testing, Sponsor: Lehe

SB 282- Spay-neuter program, Sponsor: Baird

SB 293- Interim study committee, Sponsor: Lehe

No developments as of yet regarding the Senate Agriculture Committee schedule.

The last day for bills to be heard in committees is April 3.

HB 1237 and SB 476: Grain Buyers and Warehouse Licensing

Mark Shublak has been diligently meeting with work groups and officials from the Indiana Grain Indemnity Fund and Lt. Governor's Office to review and revise language concern the grain indemnity fund and agency. Chairwoman Leising of the Senate Agriculture Committee, along with Chairman Lehe of the House Agriculture and Rural Development Committee were both involved in the conversations. ACI expects one of the bills to move out of committee. We hope to convert both bills into a single draft that does not impose additional burdens on doing business for ACI members and to contain any retroactive coverage clauses to a limited time.

ACI has had victories regarding HB 1237 and SB 476. Language that mandated the industry to provide educational materials to grain producers has been struck from both bills. Further, language that would provide retroactive coverage has been confined, and is limited by a sunset provision.

Please follow the links for the exact language of [HB 1237](#) and [SB 476](#).

PLEASE CAREFULLY REVIEW THESE TWO BILLS. IF YOU HAVE QUESTIONS REGARDING THE LANGUAGE, CONTACT MARK SHUBLAK AT MARK.SHUBLAK@ICEMILLER.COM OR (317) 236-5981.

Concurrent Meeting of House and Senate Agricultural Committees

The House and Senate Committees on Agriculture met on Monday, March 6, to hear Purdue University's presentation on local ordinances and their impact of confined feeding operations. The study was led by Larry DeBoer, a Purdue professor for Agricultural Economics.

The study collected data from all 92 counties in Indiana in order to properly evaluate land-use conflicts with regards to confined feeding operations. Prior to the commissioning of this study back in 2015, there was no substantive research on this issue. It is important to remember that this will be an on-going study, and any conclusive findings on the impact of local ordinances will not be obtained until well into the future.

The research team mainly discussed its methodology, and how it expects to collect data for the next several years. The team also intends to investigate the viability of a zoning 'sweet spot,' where the buffer zone surrounding a confined feeding operation is optimal for both the operator and neighboring land owners. The joint committee seemed overall pleased with the progress of the study, and Chairwoman Leising, in particular, was excited about the future findings.

The full report can be found by following this link: [Overview of Confined Feeding Operation Regulation](#)

In Other News...

Updated List of Licensed Medicated Feed Mills

The FDA has recently released an updated list of licensed medicated feed mills and VDF distributors. A medicated feed mill license is required for facilities that manufacture feed using Category II, Type A medicated articles or manufacture certain liquid and free-choice feed, using Category I, Type A medicated articles that must follow proprietary formulas or specifications. You can find more information about this updated list by following this [link](#).

Planting Season

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

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

Class B CDL Application

Under the new Indiana State Department of Agriculture (ISDA) and Bureau of Motor Vehicles (BMV) policy, agricultural retailers and producers will receive greater flexibility with their commercial driver's license. This new policy allows operators to apply for a license that is tailored to fit their seasonal needs. The credential fee will be \$35.

The new policy will allow users to declare a starting date for the seasonal period, and then operate under the license for 30, 60, 90, or 180 days after that start date. Ideally, applicants should plan for the full year, both planting and harvesting seasons, and not expend the entire 180 days in a single seasonal period. It has been represented to us by the BMV that agriculture retailers and producers may select new starting dates every season. Seasonal periods may only be changed at the time of license renewal.

Four Bills You Should Know More About

HB 1234- Storage of Agricultural Ammonia

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

HB 1235- Regulation of Processed Manure Based Fertilizer

Requires the state chemist to adopt rules regulating the distribution of manure based fertilizer.

SB 90- Doing Business or Marketing as a Cooperative

Provides that it is unlawful for a business entity that is not a cooperative or mutual entity to use the term "cooperative" or "co-op" in its business name if it is misleading, or advertise to its customers that it is a cooperative.

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.

Updated Key Dates for the 2017 General Assembly

April 3-House & Senate Bills Committee Report Deadline

April 5- House & Senate Bills Second Reading Deadline

April 6- House & Senate Bills Third Reading Deadline

April 21- Anticipated Sine Die

Indiana Pesticide Review Board Follow-Up

Last week we reported on the most recent meeting of the Indiana Pesticide Review Board. During that meeting, the Board adopted the Indiana Pollinator Protection Plan which would prioritize the safety and health of Indiana's pollinators. Please see the below link for the board's adopted plan:

[Indiana Pollinator Protection Plan](#)

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.