

AGRIBUSINESS COUNCIL OF INDIANA NEWSLETTER
Promoting Agribusiness Policy in Indiana
March 24, 2017

Legislative Developments at the Indiana Statehouse

House Bill 1237- Grain Buyers and Warehouse Licensing

Last Monday, HB 1237 was heard before the Senate Agricultural Committee. Representative Lehe presented Amendment #5, an amendment designed to resolve some of the major points of contention amongst the competing interests. ACI has actively participated in the debate to ensure the most favorable position for our members. We believe that proposed solution, while not optimal in terms of retroactive coverage, mitigates the more onerous provisions of the bill that was proposed this January. Amendment #5 was taken by consent.

Two important provisions of Amendment #5 are:

- All contracts must contain clauses regarding the producers' coverage by August 31, 2017; and,
- Retroactive grain coverage language that is solely limited to the Cline elevator failure.

ACI has had some concerns regarding the precedence set by the retroactive grain coverage. However, some of these anxieties were put at ease during the bill's hearing. Chairwoman Leising frequently stated that she did not want to allow for retroactive coverage ever again, and multiple stakeholders agreed to this sentiment in their own testimony. The bill passed out of the Senate Agricultural Committee by a vote of 7-0.

The bill was heard for its Second Reading in the Senate on Thursday. An amendment was proposed by Senator Leising that provided for technical corrections to the bill. The amendment was adopted by voice vote, and the amended bill will be eligible for Third Reading in the Senate next week.

The Senate Committee Report for HB 1237 can be found here: [Link](#)

The Senate Second Reading Amendment for HB 1237 can be found here: [Link](#)

Please contact Mark Shublak at (317)-236-5981; mark.shublak@icemiller.com if you have any questions or concerns regarding HB 1237.

House Bill 1447- Transportation of Agricultural Commodities

House Bill 1447-Transportation of Agricultural Commodities- was heard before the Senate Committee on Homeland Security and Transportation this week. The legislation would provide a safe-harbor for commercial truck drivers who unknowingly carry overloaded freight. This bill provides in state law that points may not be assessed for

overweight loads. Two amendments were offered and adopted by the committee. Essentially, the amendments placed HB 1447 in conformity with a bill currently moving through the Indiana House, Senate Bill 295. The bill was voted out of committee by a vote of 8-0.

Senate Bill 515- Various Tax Matters

On Tuesday, Senate Bill 515 was heard for its First Reading in the House Ways & Means Committee. The bill provides for various new types of tax exemptions and deduction. In particular, SB 515 allows for a sales tax exemption on agricultural equipment and machinery. An amendment was proposed, Amendment #15, which would broaden the sales tax exemption even further to include equipment such as fertilizers, pesticides, fungicides, seeds and other applicators along with drainage tile and related control systems designed to facilitate controlled water drainage from agriculture land used for crop production. The amendment was adopted by consent. The bill passed out of committee 18-2. However, the language does not allow sales tax exemption for tendering equipment. ACI members are urged to share this bill with their tax advisors.

Next week's hearings

This Monday, March 27, the Senate Agriculture Committee will hear HB 1234-Storage of Agricultural Ammonia- and HB 1235-Regulation of Process Manure Based Fertilizer.

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

In Other News...

Capitol Hill

The United States House Committee on Agriculture has begun deliberating over the country's next farm bill. Over thirty stakeholders have expressed their input on the proposed policy, and the committee will continue to hear testimony from national industry members for the next several months.

While the House designs the newest farm bill, the United States Senate Committee on Agriculture begins the vetting process of Secretary of Agriculture nominee, Governor George "Sonny" Perdue. Perdue's first hearing was last Thursday, March 23.

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 will hopefully 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 that 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.

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*

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.