FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

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Rule Title: LAC 7:XV.501-519 (Honey Bees and Apiaries) and repeal of LAC 7:XV.701-725 (Fire Ants)

Date Rule Takes Effect: January 20, 2016

SUMMARY
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed changes to Rules 501, 503, 505, 507, 509, 511, 513(A), 513(C), 517 and 519 will not have a direct material effect on revenues or expenditures for state or local governmental units. The proposed rule changes are technical in nature and meant to clarify and streamline existing regulations regarding honeybees and apiaries. The entirety of Chapter 7, regarding the control of fire ants, will be repealed.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to have a direct material effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule change is not anticipated to have a direct material effect on economic costs and/or an economic benefit to directly affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to have a direct material effect on competition and employment.

Signature of Agency Head or Designee

Dane Morgan, Assistant Commissioner
of Management and Finance

Typed Name & Title of Agency Head or Designee

Evan Brasseaux, Staff Director

Legislative Fiscal Officer or Designee

12/9/15

12/9/15

Date of Signature

Date of Signature

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The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The rules regarding honey bees and apiaries have not been amended since they were promulgated in 1985. It is the intent of these amendments to (1) make the rules easier to read; and (2) remove redundancies and strike language that is restated from La. R.S. 3:2301-2311.

Rule 501 is being amended to remove definitions that are not used in this Chapter and/or which conflict with La. R.S. 3:2301-2311. Additional definitions have been added to bring clarity to this Chapter.

Rule 503 regarding the movement of bees and regulated articles into Louisiana is being amended to remove language that simply restates the substance of R.S. 3:2306 regarding shipment of bees or beekeeping equipment into the state.

Rule 505 regarding interstate movement of supers and frames used in shipping honey is being amended to make the rule easier to read.

Rule 507 regarding annual registration of beekeepers and permit types is being amended because the registration requirements, types of permits and fees are already provided for in R.S. 3:2305. The proposed rule sets forth the differences between a Class A and Class B beekeeper. The proposed rule places a mileage restriction on Class B beekeepers as a potential means to prevent the spread of pests and diseases among bees and apiaries.

Rule 509 regarding the authority of LDAF personnel to enter premises for the purpose of determining a violation of law occurring is being amended to clarify, and not repeat, R.S. 3:2308.

Rule 511 regarding applications for inspection clarifies that the intrastate relocation of bees or regulated articles does not require a certificate of inspection unless the bees or regulated articles are being moved from an area under quarantine. However, if a person desires to have a certificate of inspection, Rule 511 sets forth the procedure for obtaining such a certificate.

Rule 513(A) regarding the issuance and use of certificates of inspection by LDAF is being amended to make the regulation easier to read. Rule 513(B) is being amended because the stricken language is more correctly placed in Rule 517 regarding eradication measures. Rule 513(C) is being added to allow LDAF discretion in issuing certificates of inspection if the colony or apiary is unregistered with the department, the applicant owes fees or fines to the department, the apiaries are not properly marked, or if

The amendment to Rule 517 regarding eradication measures requires all persons who know of an infestation or infection of bees or regulated articles to report such information to the department. The proposed rule, like the current rule, addresses how a beekeeper must treat a hive with American Foulbrood. Language from the current Rule 513 is being moved to the proposed Rule 517 in an attempt to better organize this Chapter.

Currently, Rule 519 sets forth the penalties for violating apiary law and regulations and also provides for the adjudicatory process. This rule is being repealed because penalties and enforcement are addressed by La. R.S. 3:2310.

Chapter 7 of LAC 7:XXI is being repealed in its entirety (Rules 701-725) because our state is subject to a federal quarantine on fire ants and therefore, authorization for a state quarantine is no longer necessary. This is a repeal of regulations that are no longer used by the department.

B. Summarize the circumstances, which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

No state or federal regulations require the proposed action. Most of the regulations contained in this revision were enacted in 1985. The intent of these revisions is to take out the portions of the regulations which are either out of date and no longer used or which are merely a recitation of Title 3.

C. Compliance with Act 11 of the 1986 First Extraordinary Session

(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

No.

(2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase? Not applicable.

(a) _____ Yes. If yes, attach documentation.

(b) _____ NO. If no, provide justification as to why this rule change should be published at this time

FISCAL AND ECONOMIC IMPACT STATEMENT WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

The proposed rules are not anticipated to result in either a decrease or increase to the department.

COSTS	**FY 15**	**FY 16**	**FY 17**
Personal Services			
Operating Expenses			
Professional Services			
Other Charges			
Equipment			
Major Repairs & Constr.			
TOTAL			
POSITIONS (#)			

2. Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

Not applicable.

3. Sources of funding for implementing the proposed rule or rule change.

Not applicable.

SOURCE	**FY 15**	**FY 16**	**FY 16**
State General Fund			
Agency Self-Generated			
Dedicated			
Federal Funds			
Other (Specify)			
TOTAL			

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

The proposed rules will not require any additional funding. The department will continue to enforce the apiary laws and regulations with the same staff and budget.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

It is not anticipated that the proposed rules will have any fiscal impact on local government units.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

Not applicable.

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WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

There are no changes in revenue being collected. It is not anticipated that the proposed rules will result in an increase in expenditures.

REVENUE INCREASE/DECREASE	FY 15	FY 16	FY 17
State General Fund			
Agency Self-Generated			
Dedicated Funds*			
Federal Funds			
Local Funds			
TOTAL			

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

Not applicable.

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WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

Beekeepers or apiarists in the State will be directly affected by the proposed rules. However, the effects of these amendments should be minimal as they are mostly a clean up of existing rules.

Beekeepers or apiarists outside of Louisiana who may wish to move into Louisiana would also be impacted by these rules. Specifically, beekeepers outside of Louisiana will be affected by the mileage restrictions in proposed Rule 507(D).

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

It is not anticipated that the proposed rules will impact receipts and/or income for beekeepers or apiarists.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

It is not anticipated that the proposed rules will impact competition or employment in the public or private sector.