

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

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Return
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Rule
Title: Seed Regulations; LAC 7:XIII.101 et seq.

Date Rule
Takes Effect: Upon promulgation

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 rule change will not result in any costs or savings to the state or local governmental units. The proposed rule change makes technical changes, clarifies definitions, and codifies current federal regulations.

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

The proposed rules will have no 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 will create no costs or economic benefits to directly affected persons or non-governmental units.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no effect on competition and employment.

Signature of Agency Head or Designee

Dane Morgan
Dane Morgan, Assistant Commissioner
of Management and Finance, LDAF

June 7th 2018
Date of Signature

Evan Braswell
Legislative Fiscal Officer or Designee

6/7/18
Date of Signature

**FISCAL AND ECONOMIC IMPACT STATEMENT
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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 proposed rule change will not result in any costs or savings to the state or local governmental units. The proposed rule change makes technical changes, clarifies definitions, and codifies current federal regulations.

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

The amendments to LAC 7:XIII101 et seq. are being proposed because the old section reference numbers are no longer used or referenced.

The amendments to LAC 7:XIII.109 are being proposed to prevent seed containing harmful weeds from being sold into Louisiana; expand red rice species list to include all species of red rice as noxious weeds; to limit the total amount of noxious weed seeds allowed in seed; and to maintain a botanically correct Noxious Weed list.

The amendments to LAC 7:XIII.131 are being proposed to maintain grammatically correct regulations; to regulate the sale of small containers of vegetable seed that are labeled with "packed for year"; to require the "new germination percentage" be present on the label of seed that has been retested and fails to meet original label guarantees; to give seed companies relabeling options such as "stickers" and "supplemental labels" and to remove the prohibition of altering the original seed label; to require that "supplemental labeling" is attached in a manner that it is clearly visible to the purchaser.

The amendments to LAC 7:XIII.133 are being proposed to remove outdated tag formatting requirements; clarify the reference to the "Seed Law" by adding the word "Louisiana" and the Seed Law citation; change the statement "where grown" to "origin" to harmonize the section with the Louisiana Seed Law labeling requirements.

The amendment to LAC 7:XIII.141 is being proposed to remove the outdated USDA reference and add a new current reference.

The amendment to LAC 7:XIII.301 is being proposed to harmonize this section with proposed requirements to Section 131K.

The amendment to LAC 7:XIII.519 is being proposed to allow owners of "carryover" certified seed to retest and relabel the seed with a "substandard germination" statement. This allows the seed entry into the seed trade, but informs the purchaser that the seed contains substandard germination.

The amendments to LAC 7:XIII709 are being proposed to harmonize the specific noxious weed names with the Noxious Weed list contained in Section 109 of these regulations.

The amendments to LAC 7:XIII723 are being proposed to create grammatically correct and uniform regulations; and to harmonize noxious weed names with the Noxious Weed list contained in Section 109 of these regulations.

The amendments to LAC 7:XIII749 are being proposed to harmonize specific noxious weeds with the Noxious Weed list contained in Section 109 of these regulations.

The amendment to LAC 7:XIII755 is being proposed to remove a duplicate table in its entirety.

- 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.

It is not anticipated that the proposed rule changes will result in any increase in the expenditure of funds. Current staff will continue to administer regulations, seed certification, and provide seed testing services.

- (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?

It is not anticipated that implementation of the proposed rule changes will result in an increase or decrease of costs.

| COSTS | FY 19 | FY 20 | FY 21 |
|-------------------------|----------|----------|----------|
| Personal Services | 0 | 0 | 0 |
| Operating Expenses | 0 | 0 | 0 |
| Professional Services | 0 | 0 | 0 |
| Other Charges | 0 | 0 | 0 |
| Equipment | 0 | 0 | 0 |
| Major Repairs & Constr. | 0 | 0 | 0 |
| TOTAL | 0 | 0 | 0 |
| POSITIONS (#) | 0 | 0 | 0 |

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.

It is not anticipated that implementation of the proposed rule changes will result in an increase or decrease of costs.

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

It is not anticipated that the proposed rule changes will require any direct or indirect material funding.

| SOURCE | FY 19 | FY 20 | FY 21 |
|-----------------------|----------|----------|----------|
| State General Fund | 0 | 0 | 0 |
| Agency Self-Generated | 0 | 0 | 0 |
| Dedicated | 0 | 0 | 0 |
| Federal Funds | 0 | 0 | 0 |
| Other (Specify) | 0 | 0 | 0 |
| TOTAL | 0 | 0 | 0 |

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

It is not anticipated that the proposed rule changes will require any funds to implement. The regulations, seed testing and seed certification are currently being administered by the department.

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 rule changes will have an impact on local governmental units.

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

Not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

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

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

There is no anticipated increase (decrease) in revenue collections as a result of the proposed rule changes.

| REVENUE INCREASE/DECREASE | FY 19 | FY 20 | FY 21 |
|---------------------------|----------|----------|----------|
| State General Fund | 0 | 0 | 0 |
| Agency Self-Generated | 0 | 0 | 0 |
| Seed Commission Fund | 0 | 0 | 0 |
| Federal Funds | 0 | 0 | 0 |
| Local Funds | 0 | 0 | 0 |
| TOTAL | 0 | 0 | 0 |

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.

There is no anticipated increase or decrease in revenue collections as a result of the proposed rule changes.

FISCAL AND ECONOMIC IMPACT STATEMENT

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.

Directly affected persons or non-governmental groups include any person or business offering agriculture or vegetable seed sale in Louisiana or applying for seed certification or selling Louisiana certified seed.

There is no anticipated direct material effect on income/costs, workload, or paperwork to directly affected persons or non-governmental groups as result of the proposed rule changes.

- 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.

There is no anticipated direct material effect on income or costs to directly affected persons or non-governmental groups as result of the proposed rule changes.

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 anticipated that the implementation of these proposed rule changes will not have an effect on competition and employment in either the public or private sector.