

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 61** SLS 19RS 239
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 20, 2019 4:01 PM	Author: BOUDREAUX
Dept./Agy.: Louisiana Department of Agriculture and Forestry (LDAF)	Analyst: Alan M. Boxberger
Subject: Creates the Louisiana Commission on Medicinal Plants	

AGRICULTURE/FOREST DEPT RE INCREASE GF EX See Note Page 1 of 1
 Creates the Louisiana Commission on Medicinal Plants. (gov sig)

Proposed law creates the Louisiana Commission on Medicinal Plants within the Louisiana Department of Agriculture and Forestry (LDAF) for the purpose of advising the commissioner on the regulation of medicinal plants to protect the interests, health, safety, and welfare of the citizens of Louisiana. Proposed law provides for the membership of the commission, comprised of eleven members as specified. Proposed law provides the commission with the power to advise the commissioner on the qualifications and requirements for the issuance of licenses or certificates; to hold adjudicatory hearings on alleged violations; to advise the commissioner on the civil penalties; to advise the commissioner on rules and regulations promulgated; to hold hearings and conduct investigations; and to adopt bylaws for the commission.

EXPENDITURES	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law will create an indeterminable but potentially significant increase in SGF expenditures by the Louisiana Department of Agriculture and Forestry (LDAF) to create the Louisiana Commission on Medicinal Plants within the department in order to advise the commissioner on the regulation of medicinal plants. Costs may include contracting a hearing officer for any adjudicatory hearings and providing documents to members of the commission. The number and frequency of adjudicatory hearings cannot be estimated, therefore the total cost is unknown.

Proposed law authorizes but does not require the Commissioner to employ a director, assistant director, and any other position that he deems necessary for the Commission. LDAF reports that any additional expenditures related to the staffing and attendance of the commission will be minimal and can be absorbed within the agency's existing budget authority (see NOTE below). However, to the extent the increased workload overextends current staff capacity, additional personnel or overtime expenditures may be needed.

NOTE: Although the current commissioner has expressed he does not anticipate hiring a director and assistant director of the commission at this time, proposed law's permissive nature allows the creation of such positions at any time by this commissioner or future ones if deemed necessary. Potential costs were not provided.

Proposed law provides that members of the commission shall serve without compensation. However, an amendment adopted on the Senate Floor added four legislative members to the commission, the chairman of the Senate Committee on Health and Welfare (or designee), the chairman of the House Committee on Health and Welfare (or designee), the chairman of the Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development (or designee) and the chairman of the House Committee on Agriculture, Forestry, Aquaculture and Rural Development (or designee). The LFO assumes these members will be eligible for the prevailing per diem and travel reimbursement. The legislative per diem rate is \$161 and the cost of related benefits (7.65% includes FICA 6.2% and Medicare 1.45%) is approximately \$12.32 for a daily cost of approximately \$173/day. It will cost approximately \$692 per day for 4 legislators to attend meetings plus mileage reimbursement, which is approximately \$0.58 per mile. However, the impact on total expenditures is indeterminable and will depend upon mileage driven by the members, the number of meeting days held, and the actions taken by the commission.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux
Evan Brasseaux
Staff Director