

LEGISLATIVE FISCAL OFFICE
Fiscal Note



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

| | |
|--|-------------------------------|
| Date: May 1, 2019 6:43 PM | Author: BOUDREAUX |
| Dept./Agy.: Louisiana Department of Agriculture and Forestry (LDAF) | Analyst: Willis Brewer |
| Subject: Creates the Louisiana Commission on Medicinal Plants | |

AGRICULTURE/FOREST DEPT EG 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 seven members, to include one patient-advocate and one member from the state at large appointed by the commissioner, one appointee from the La. State Board of Medical Examiners, one appointee from the La. Board of Pharmacy, one appointee from the La. Sheriffs' Association, one appointee from the the La. District Attorneys Association, and the secretary of the La. Department of Health or designee. 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 | 2019-20 | 2020-21 | 2021-22 | 2022-23 | 2023-24 | 5 -YEAR TOTAL |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| 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 | 2019-20 | 2020-21 | 2021-22 | 2022-23 | 2023-24 | 5 -YEAR TOTAL |
| 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.

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