



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

SENATE BILL NO. 1171

PRINTERS NO. 2104

PRIME SPONSOR: Brooks

### COST / (SAVINGS)

FUND	FY 2018/19	FY 2019/20
General Fund	\$0	\$0

**SUMMARY:** Senate Bill 1171, Printer's Number 2104, amends Title 3 and 27 to address membership and duties of the Nutrient Management Advisory Board and the Agricultural Advisory Board.

**ANALYSIS:** This bill amends Title 3 (Agriculture) and 27 (Environmental Resources) to address membership and duties of the Nutrient Management Advisory Board and the Agricultural Advisory Board.

Title 3 is amended to modify membership of the Nutrient Management Advisory Board (NMAB) by removing the commercial agricultural lender and replaces it with another active commercial farmer. This increases the number of farmers from five to six that correspond to the regions served by the Department of Environmental Protection's (DEP) regional offices. Two of the six farmers must hold an active concentrated animal feeding operation permit as required by the Clean Streams Law. The bill also increases the number of days from sixty to ninety to review and comment on regulations.

Title 27 is also amended to modify the membership and duties of the Agricultural Advisory Board (AAB) to DEP, which provides advice and expertise to the secretary of DEP regarding departmental policies and regulatory proposals that affect agriculture. The AAB is comprised of twenty-four members, including the chairmen and minority chairmen of the House and Senate Agriculture and Rural Affairs Committees or their designees, ten appointees by the Governor, and the remaining from various agriculture-related organizations and agencies. The bill also requires two of the ten existing agricultural industry representatives appointed by the Governor to hold an active concentrated animal feeding operation permit as required by the Clean Streams Law.

Senate Bill 1171 gives the AAB the authority to consult with the department on new policy and revisions to existing policy, and on proposed technical guidance, that will affect agriculture in the Commonwealth. The board also has the authority to consult with the department on proposed regulations and general permits that regulate agriculture.

The bill requires DEP to provide the AAB with any regulatory proposal, proposed general permit or proposed technical guidance that would regulate or affect agriculture. DEP may not publish any such proposal prior to consulting with the board in the formulation of the proposal, as reflected by the minutes or written comments of the board, or until 60 days from the time the board was provided with the proposal.

This legislation would take effect in 60 days upon enactment. The bill states that members of the Nutrient Management Advisory and the Agricultural Advisory Board shall continue to serve until their present terms of office expire.

**FISCAL IMPACT:** Enactment of this bill will have no adverse impact on Commonwealth funds.

**PREPARED BY:** Jeffrey Clukey  
House Appropriations Committee (R)

**DATE:** October 17, 2018

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*