

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 794 - HB 906

March 26, 2015

SUMMARY OF BILL: Authorizes any certified applicator, certified by the Commissioner of the Department of Agriculture (DOA), to directly or indirectly to use, buy, sell, or supervise the use of restricted use pesticides pursuant to the Tennessee Application of Pesticides Act of 1978.

ESTIMATED FISCAL IMPACT:

Decrease State Revenue - \$5,200/Agriculture Regulatory Fund

Increase State Expenditures - \$1,000/Agriculture Regulatory Fund

Other Fiscal Impact – Potential reduction in federal funding from the Environmental Protection Agency of an unknown amount.

Assumptions:

- The DOA indicates this bill, as written, would lead to an increased number of complaints and a reduced number of applicators that would be certified or seek recertification.
- According to DOA, the increased number of complaints would arise due to misapplications of pesticides by less knowledgeable individuals that could be indirectly supervised; and the reduced number of certifications would occur because individuals who could be indirectly supervised would no longer seek certification or recertification.
- Based on information provided by DOA, samples could be required for lab analysis for certain complaints.
- DOA indicates the cost of lab analysis for one sample is \$25.
- DOA estimates 30 additional complaints per year.
- To the extent an average of two samples are required for two-thirds of the complaints (or 40 samples), the recurring increase in state expenditures to the Agriculture Regulatory Fund is estimated to be \$1,000 (\$25 x 40).
- According to DOA, the number of individuals seeking certification averaged 3,461 per year over the last two years.
- The current certification fee is \$15.
- To the extent there was a ten percent reduction in certifications; there would be a recurring decrease in state revenue to the Agriculture Regulatory Fund of \$5,192 (3,461 x 10% x \$15).

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- According to DOA, the Environmental Protection Agency (EPA) provides federal funding that is based on the number of certified applicators. DOA indicates the department receives approximately \$100,000 per year from this source.

IMPACT TO COMMERCE:

Decrease Business Expenditures - \$5,200

Assumption:

- To the extent there is a ten percent reduction in certifications; pesticide business entities will reduce expenditures associated with certification and recertification. Therefore, a recurring decrease in business expenditures of \$5,200.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Jeffrey L. Spalding, Executive Director

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