

AMENDMENTS TO LB 68

Introduced by Schilz

1           1. Strike section 11 and insert the following new  
2 section:

3           Sec. 11. (1) License fees for the Plant Protection and  
4 Plant Pest Act due on January 1, 2014, shall be the amount in  
5 column A of subsection (3) of this section.

6           (2) The license fees due January 1, 2015, and each  
7 January 1 thereafter shall be set by the director on or before July  
8 1 of each year. The director may raise or lower such fees each  
9 year to meet the criteria in this subsection, but the fee shall not  
10 be greater than the amount in column B of subsection (3) of this  
11 section. The same percentage shall be applied to each category for  
12 all fee increases or decreases. The director shall use the fees in  
13 column A of subsection (3) of this section as a base for future fee  
14 increases or decreases. The director shall determine the fees based  
15 on estimated annual revenue and fiscal year-end cash fund balances  
16 as follows:

17           (a) The estimated annual revenue shall not be greater  
18 than one hundred seven percent of program cash fund appropriations  
19 allocated for the Plant Protection and Plant Pest Act; and

20           (b) The estimated fiscal year-end cash fund balance  
21 shall not be greater than seventeen percent of program cash fund  
22 appropriations allocated for the act.

23           (3) License Fees.

<u>License Fees</u>	<u>A</u>	<u>B</u>
<u>Nursery stock</u>		
<u>distributor license</u>		
<u>as set forth in</u>		
<u>section 2-1091.01</u>		
<u>for the first acre</u>	<u>\$115</u>	<u>\$140</u>
<u>Fee for additional acres</u>	<u>\$5.00 per acre</u>	<u>\$6.00 per acre</u>
<u>Distributing without</u>	<u>25% of the fee</u>	
<u>obtaining a nursery</u>	<u>per month up to</u>	
<u>stock distributor</u>	<u>100% of the</u>	
<u>license fee</u>	<u>license fee</u>	

(4) Other fees for the Plant Protection and Plant Pest Act under subsection (5) of this section in effect on January 1, 2014, shall be the amount in column A of such subsection. The department may increase or decrease such fees by rules or regulations adopted and promulgated by the department. Such increases shall not result in fees greater than the amount in column B of subsection (5) of this section.

(5) Other Fees.

<u>Other Fees</u>	<u>A</u>	<u>B</u>
<u>Certification fee for</u>		
<u>nursery stock growing</u>		
<u>acres as set forth in</u>	<u>Included in</u>	
<u>section 2-1095</u>	<u>license fee</u>	
<u>Late applications for</u>		

1	<u>certification of nursery</u>	<u>\$24 per hour</u>	<u>\$27 per hour</u>
2	<u>stock growing acres</u>	<u>\$0.42 per mile</u>	<u>\$0.50 per mile</u>
3	<u>Reinspections or</u>		
4	<u>requested inspections</u>	<u>\$24 per hour</u>	<u>\$27 per hour</u>
5	<u>for nursery stock</u>	<u>\$0.42 per mile</u>	<u>\$0.50 per mile</u>
6	<u>Phytosanitary or</u>	<u>\$30 per certificate</u>	<u>\$40 per</u>
7	<u>export certificates</u>	<u>and \$7 for taking</u>	<u>certificate and</u>
8	<u>set forth in</u>	<u>an application</u>	<u>\$10 for taking</u>
9	<u>section 2-1091</u>	<u>by telephone</u>	<u>an application</u>
10			<u>by telephone</u>
11	<u>Phytosanitary or</u>		
12	<u>export certificate</u>		
13	<u>inspections and</u>	<u>\$24 per hour</u>	<u>\$27 per hour</u>
14	<u>reinspections</u>	<u>\$0.42 per mile</u>	<u>\$0.50 per mile</u>
15	<u>European corn borer</u>		
16	<u>quarantine certification</u>		
17	<u>license set forth in</u>	<u>\$50 per license,</u>	<u>\$65 per license,</u>
18	<u>section 2-1091</u>	<u>annually</u>	<u>annually</u>
19	<u>European corn borer</u>	<u>\$6.25 for</u>	<u>\$10.00 for</u>
20	<u>certificate</u>	<u>packet of 25</u>	<u>packet of 25</u>
21	<u>Quarantine compliance</u>		
22	<u>agreements as set</u>	<u>\$50 per agreement</u>	<u>\$65 per agreement</u>

1	<u>forth in section 2-1091</u>	<u>annually</u>	<u>annually</u>
2	<u>Quarantine compliance</u>		
3	<u>agreement inspections</u>	<u>\$24 per hour</u>	<u>\$27 per hour</u>
4	<u>and reinspections</u>	<u>\$0.42 per mile</u>	<u>\$0.50 per mile</u>

5           (6) Any fee remaining unpaid for more than one month  
6 shall be considered delinquent and the person owing the fee shall  
7 pay an additional administrative fee of twenty-five percent of the  
8 delinquent amount for each month it remains unpaid, not to exceed  
9 one hundred percent of the original amount due. The department may  
10 waive the additional administrative fee based upon the existence  
11 and extent of any mitigating circumstances that have resulted  
12 in the late payment of such fee. The purpose of the additional  
13 administrative fee is to cover the administrative costs associated  
14 with collecting fees and all money collected as an additional  
15 administrative fee shall be remitted to the State Treasurer for  
16 credit to the Plant Protection and Plant Pest Cash Fund.

17           2. On page 9, strike beginning with "The" in line 1  
18 through line 3 and insert "The license fees are set forth in  
19 section 11 of this act.".

20           3. On page 11, line 16, strike "of actual costs assessed  
21 to the applicant"; and strike beginning with "Such" in line 17  
22 through line 18.