

SB 5503

Department of Agriculture – fee ratification bill

SB 5503 ratifies fee modifications implemented through rule making during the 2011-13 interim. Fees were modified for inspections of fertilizer, field burning, and agricultural product certifications. The revenue from these fees is assumed in the budget for the Department of Agriculture.

Your Natural Resources Subcommittee recommends SB 5503 be amended and reported out do pass, as amended.

77th OREGON LEGISLATIVE ASSEMBLY – 2013 Session
STAFF MEASURE SUMMARY

MEASURE: SB 5503-A

Joint Committee on Ways and Means

Carrier – House: Rep. Unger
Carrier – Senate: Sen. Edwards

Revenue:

Fiscal: Fiscal statement issued

Action: Do Pass as Amended and be Printed A-Engrossed

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

Prepared By: Paul Siebert, Legislative Fiscal Office

Meeting Date: June 6, 2013

WHAT THE MEASURE DOES: Ratifies fee changes adopted by the Department of Agriculture and approved by the Department of Administrative Services. Fees were modified for open field burning, fertilizer inspections and various agricultural certifications.

ISSUES DISCUSSED:

- How fee modifications affect assumed revenue in the 2013-15 budget
- Competition with private providers of certification services

EFFECT OF COMMITTEE AMENDMENT: Replaces the bill.

BACKGROUND: ORS 291.055(1)(e) requires the Legislative Assembly to ratify fees an agency implements during the prior biennium without legislative approval. The fee revenue is anticipated in the budget and is described in the budget binders for the Department of Agriculture.

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 5503 - A

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

***Only Impacts on Original or Engrossed
Versions are Considered Official***

Prepared by: Krista McDowell
Reviewed by: Paul Siebert
Date: 6/5/2013

Measure Description:

Approves certain new or increased fees adopted by State Department of Agriculture.

Government Unit(s) Affected:

Department of Agriculture

Summary of Expenditure Impact:

See Analysis

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

ORS 291.055(1)(e) requires all new state agency fees or fee increases adopted after July 1 of any odd-numbered year to be rescinded on July 1 unless authorized by enabling legislation setting forth the approved fees. This bill provides the enabling legislation necessary to approve fees adopted through Administrative Rule by the Department of Agriculture during the 2011-13 Interim. Fees were adjusted for open field burning, fertilizer inspections, and various agricultural certifications. These fee modifications are anticipated to create \$420,605 Other Funds revenue during the 2013-15 biennium. The 2013-15 budget assumes the continuation of the revenue from the fees included in this bill.

**PROPOSED AMENDMENTS TO
SENATE BILL 5503**

1 In line 2 of the printed bill, delete “appropriating money; limiting ex-
2 penditures;”.

3 Delete lines 5 through 16 and insert:

4 **“SECTION 1. For the purpose of carrying out the provisions of ORS**
5 **291.055 (1)(e), the following new or increased fees, adopted by the State**
6 **Department of Agriculture and approved by the Oregon Department**
7 **of Administrative Services, are approved:**

8 (1) Per ton inspection fee
9 for official inspection
10 of fertilizer, agricultural
11 mineral and agricultural
12 amendment \$ 0.45

13 (2) Per ton inspection fee for
14 official inspection of gypsum \$ 0.05

15 **“SECTION 2. For the purpose of carrying out the provisions of ORS**
16 **291.055 (1)(e), a per acre fee for open field burning of \$20, adopted by**
17 **the State Department of Agriculture and approved by the Oregon De-**
18 **partment of Administrative Services, is approved.**

19 **“SECTION 3. For the purpose of carrying out the provisions of ORS**
20 **291.055 (1)(e), the following new or increased fees, adopted by the State**
21 **Department of Agriculture and approved by the Oregon Department**
22 **of Administrative Services, are approved:**

1	(1) Global Food Safety		
2	Initiative benchmarked		
3	schemes certification fee	\$	300
4	(2) Certification and third-party		
5	audit services hourly fee	\$	92
6	(3) New applicant fee for		
7	USDA National Organic Program		
8	(NOP) certification.....	\$	250
9	(4) Annual renewal fee for USDA		
10	National Organic Program (NOP)		
11	certification.....	\$	100

12 **“SECTION 4. This 2013 Act being necessary for the immediate**
13 **preservation of the public peace, health and safety, an emergency is**
14 **declared to exist, and this 2013 Act takes effect July 1, 2013.”.**

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