

PROPOSED REGULATION OF THE STATE DEPARTMENT OF AGRICULTURE

LCB File No. R100-15

SB 488 NAC Authority - Department

Section 28

Pursuant to section 28 (1) (a), each manufacturer, each distributor and each guarantor who distributes, sells or offers for sale any commercial feed in this state must obtain a license.

Section 29 A license application must include:

- 1. Any information deemed necessary by the Department.*
- 2. A declaration regarding who is responsible for reporting and fees.*
- 3. A nonrefundable application fee of \$75.00.*
- 4. A late fee of \$20.00 if an annual renewal is submitted after December 31 of each year.*

Section 34

Section 1, A report must be filed each quarter regardless of whether the licensee manufactured, distributed or guaranteed any commercial feeds during the reporting period.

Section 34 (2) (b), The per ton fee for commercial feed, manufactured, distributed or guaranteed in this state shall be 15 cents.

Section 34 (3), 1. A licensee must report the total tonnage manufactured, distributed or guaranteed and pay the appropriate fees unless:

- a. the responsibility for reporting and the payment of the fees has been assigned to another person by a contract entered into pursuant to this subsection; or*
- b. The reporting and fees have been submitted timely by another.*

2. A contract must:

- (a) Include the license numbers of the parties;*
- (b) Identify each party by name, address, telephone number and title, if applicable;*
- (c) Identify the specific product covered by the contract;*
- (d) Include an effective date and expiration date, or beginning or ending during a reporting period and not exceeding 3 years in duration; and*
- (e) Be signed by each party or his or her authorized agent.*

6. A person who violates any provision of this section is subject to a civil penalty pursuant to section 43 of this act..

Section 37,

- 1. The Department may conduct inspections or audits at the request of a licensee.*
- 2. The licensee shall pay an hourly fee for drive time and inspection time or audit time, not to exceed;*
 - a. For an audit, \$75.00 per hour per auditor;*
 - b. For an inspection, \$60.00 per hour per inspector.*
- 3. Mileage to be charged at the current IRS mileage reimbursement rate.*