

4-15

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted upon filing, by the

Oregon Department of Agriculture, Plant Division

603

Agency and Division

Administrative Rules Chapter Number

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Rules Coordinator

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to become effective upon filing. Rulemaking Notice was published in the March 1, 2008, Oregon Bulletin.**

RULE CAPTION

Proposal to raise nursery license fees to cover projected deficit.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:

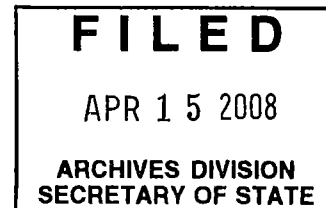
AMEND: 603-054-0016, 603-054-0017, 603-054-0018

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 561, 571

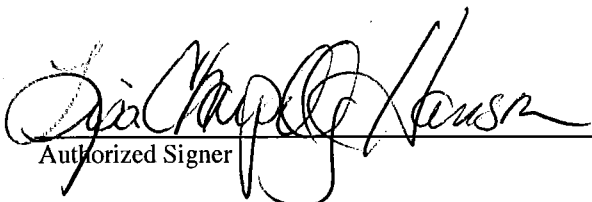


Other Auth.:

Stats. Implemented: ORS 561.057, ORS 571.145, ORS 571.045

RULE SUMMARY

The proposed amendment to the nursery license fee rule would raise the cost of a nursery license by 12%. These fees have not been adjusted since 2003. The cumulative impact of inflation and the new state employees compensation package will result in a deficit in the nursery program within a year. The proposed fee increase will cover the immediate projected deficit for 2008. Additionally, the proposed amendment would correct an error in the millage rate for greenhouse growers and dealers with annual sales between \$500,001 and \$2,000,000


Authorized Signer

Printed name

Date

4/15/08

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

ARC 930-2005

DOA 13-2008

603-054-0016

License Fees: Growers and Collectors

(1) The license fee for nursery growers, other than greenhouse growers of herbaceous plants, and for collectors of native plants shall be as follows: If Annual Sales are -- The license fee is:

- (a) Up to \$20,000 = \$112;
- (b) \$20,001-\$100,000 = \$112 plus .0035 over \$20,000;
- (c) \$100,001-\$200,000 = \$392 plus .0032 over \$100,000;
- (d) \$200,001-\$500,000 = \$712 plus .0026 over \$200,000;
- (e) \$500,001-\$2,000,000 = \$1,492 plus .0016 over \$500,000;
- (f) \$2,000,001 & above = \$3,892 plus .00045 over \$2,000,000;
- (g) Maximum Fee = \$20,000.

(2) In addition to the annual license fee above, there will be a research assessment equal to .0002 of annual sales. The minimum research assessment is \$10.

(3) In addition to the annual license fee (1) and research assessment fee (2) above, there will be an assessment for the Plant Pest and Disease Emergency Response Fund. The assessment will be adjusted annually to maintain a fund balance of \$250,000 and will not exceed .0002 of annual sales.

Stat. Auth.: ORS 561 & 571 _Stats. Implemented: ORS 571.057

603-054-0017

License Fees: Greenhouse Growers of Herbaceous Plants

(1) The license fee for greenhouse growers of herbaceous plants shall be as follows: If Annual Sales are -- The license fee is:

- (a) Up to \$20,000 = \$112;
- (b) \$20,001-\$100,000 = \$112 plus .0014 over \$20,000;
- (c) 100,001-\$200,000 = \$224 plus .0011 over \$100,000;
- (d) \$200,001-\$500,000 = \$334 plus .00056 over \$200,000;
- (e) \$500,001-\$2,000,000 = \$502 plus .0005 over \$500,000;
- (f) \$2,000,001 & above = \$1,256 plus .00045 over \$2,000,000;
- (g) Maximum Fee = \$20,000.

(2) In addition to the annual license fee above, there will be a research assessment equal to .0002 of annual sales. The minimum research assessment is \$10.

(3) In addition to the annual license fee (1) and research assessment fee (2) above, there will be an assessment for the Plant Pest and Disease Emergency Response Fund. The assessment will be adjusted annually to maintain a fund balance of \$250,000 and will not exceed .0002 of annual sales.

Stat. Auth.: ORS 561 & 571 _Stats. Implemented: ORS 571.057

603-054-0018

License Fees: Dealers, Florist and Landscape Contractors

(1) The license fee for dealers, florist, and landscape contractors shall be as follows: If annual purchases (live plant material only, cut flowers are exempt) are -- The license fee is:

(a) Up to \$20,000 = \$112;

(b) \$20,001-\$100,000 = \$112 plus .0014 over \$20,000;

(c) 100,001-\$200,000 = \$224 plus .0011 over \$100,000;

(d) \$200,001-\$500,000 = \$334 plus .00056 over \$200,000;

(e) \$500,001-\$2,000,000 = \$502 plus .0005 over \$500,000;

(f) \$2,000,001 & above = \$1,256 plus .00045 over \$2,000,000;

(g) Maximum Fee = \$20,000.

(2) In addition to the annual license fee above, there will be a research assessment equal to .0002 of annual purchases. The minimum research assessment is \$10.

(3) In addition to the annual license fee (1) and research assessment fee (2) above, there will be an assessment for the Plant Pest and Disease Emergency Response Fund. The assessment will be adjusted annually to maintain a fund balance of \$250,000 and will not exceed .0002 of annual purchases.

Stat. Auth.: ORS 561 & 571 _Stats. Implemented: ORS 571.057