

H.434

An act relating to agency of agriculture, food and markets revenues

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 6 V.S.A. § 1(a) is amended to read:

(a) The agency of agriculture, food and markets shall be administered by a secretary of agriculture, food and markets. The secretary shall supervise and be responsible for the execution and enforcement of all laws relating to agriculture and standards of weight and measure. The secretary may:

\* \* \*

(12) exercise any other power or authority granted by common law or statute;

(13) issue licenses, permits, registrations, and certificates for a term of up to three years, and such permits, registrations, and certificates may be issued and renewed on any calendar cycle. The secretary shall not have the authority to mandate licenses, permits, registrations, or certificates for more than one year. The secretary is further authorized to collect any annual fee set by law for such multiyear licensure, permit, registration, or certificate on a pro-rated basis which shall not exceed 150 percent of the annual fee for an 18-month cycle, 200 percent of the annual fee for a two-year cycle, or 300 percent of the annual fee for a three-year cycle.

Sec. 2. 6 V.S.A. § 3305 is amended to read:

§ 3305. ADDITIONAL POWERS OF THE SECRETARY

In order to accomplish the objectives stated in section 3303 of this title, the secretary may:

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(15) establish by rule the method for providing voluntary inspection, and withdrawal of inspection, of exotic animals, wild game, red deer, and cervidae. These rules may also provide for the inspection of meat and meat food products derived from those animals. The secretary shall provide voluntary inspection of exotic animals, bison, and cervidae,~~and ratite~~ produced in Vermont, including the inspection of meat and meat food products processed in Vermont and derived from exotic animals, bison, and cervidae, and ratite,~~for which~~ wherever produced. For such inspection, the secretary shall charge a fee of ~~\$5.00 per hour~~ The secretary shall charge \$20.00 per hour per inspection of meat and meat food products processed in Vermont but derived from bison, cervidae, and ratite produced outside Vermont equal to the rate for reimbursable inspection services provided under the Vermont meat and poultry inspection program;

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Sec 3. 9 V.S.A. § 2730(g) and (h) are amended to read.

~~(g) License fee exemptions~~

~~(1) Any person who operates a commercial scale in a facility having less than 2,000 square feet of floor space shall be exempt from the license fee provisions of subdivision (f)(1)(C) of this section.~~

~~(2) Any person who operates three or fewer motor fuel dispensers shall be exempt from the license fee requirement of subdivision (f)(1)(A) of this section.~~

~~(3) The exemptions in this subsection shall not apply to any person who operates commercial weighing and measuring devices at more than one location. The exemptions are also not applicable to a person who is affiliated with another person operating commercial weighing and measuring devices, through common ownership, franchise agreement, joint venture or other similar business arrangement. The secretary shall not issue refunds for overpayment of fees on scales and gas pumps that are subject to exemptions under subdivisions (1) and (2) of this subsection, or for single scales under subdivision (f)(1)(C) of this section, as long as the application form includes instructions explaining the process for claiming these exemptions.~~

~~(h) The secretary may waive the license fee for medium duty scales for commercial enterprises which operate the scales primarily as a public service.~~

Sec. 4. 6 V.S.A. § 488 is amended to read:

§ 488. SAMPLING, TESTING, AND GRADING DEVICES;

CERTIFICATION

(a) The secretary may procure accurate sampling, testing and grading devices in a quantity sufficient to meet the anticipated requirements under this chapter.

(b) In addition to the mandatory inspection program conducted under this chapter, the secretary may provide maple syrup inspection certification, upon request of a dealer. The secretary ~~may obtain from the dealer reimbursement for the cost of the inspection certification incurred by the agency~~ shall charge a fee of \$0.01 per pound of maple syrup inspected or graded under this subsection. Fees collected by the secretary under this section shall be retained by the agency.