

House Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-ninth Legislature
Second Regular Session
2010

CHAPTER 129

HOUSE BILL 2286

AN ACT

AMENDING SECTION 3-2606, ARIZONA REVISED STATUTES; RELATING TO FEED
INSPECTION FEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 3-2606, Arizona Revised Statutes, is amended to
3 read:

4 3-2606. Inspection fees; quarterly statement by distributor;
5 retention of records

6 A. An inspection fee at the rate of fifteen cents per ton shall be
7 paid to the department on commercial feeds distributed in this state by any
8 person licensed pursuant to section 3-2609 subject to the following:

9 1. If more than one distributor is involved in the chain of
10 distribution the one who sells directly to the ultimate consumer or to a
11 distributor exempted from a license is responsible for submitting the tonnage
12 report and payment of inspection fees.

13 2. Distributors exempt from a license are not responsible for the
14 filing of tonnage reports or the payment of the inspection fees for products
15 purchased from a licensee and sold in the form in which received.

16 3. No inspection fees are required for commercial feeds sold or
17 exchanged between licensed manufacturers for further manufacturing or
18 processing, or for commercial feeds on which the inspection fee has been paid
19 by a previous manufacturer or distributor in the chain of distribution.

20 4. The minimum inspection fee is two dollars for each calendar
21 quarter.

22 5. THE INSPECTION FEE ON DISTILLERS GRAIN IS PRORATED ACCORDING TO THE
23 MOISTURE CONTENT. IF THE MOISTURE CONTENT OF THE DISTILLERS GRAIN IS FIFTY
24 PER CENT OR LESS, THE FEE APPLIES TO THE FULL WEIGHT. IF THE MOISTURE
25 CONTENT IS OVER FIFTY PER CENT, THE FEE APPLIES TO THE PERCENTAGE OF THE
26 WEIGHT THAT IS DRY CONTENT. FOR THE PURPOSES OF THIS PARAGRAPH, "DISTILLERS
27 GRAIN" MEANS THE CEREAL BY-PRODUCT OF THE DISTILLATION PROCESS.

28 B. The director ~~may~~, after a hearing, MAY decrease or increase the
29 inspection fee provided in this section, except that the rate shall not
30 exceed thirty cents per ton.

31 C. Each person who is liable for the payment of such fee shall:

32 1. File, not later than the last day of January, April, July and
33 October of each year, a quarterly statement, setting forth the number of net
34 tons of commercial feeds distributed in this state during the preceding
35 calendar quarter. Upon filing the statement such person shall pay the
36 inspection fee at the rate stated in subsection A of this section. Inspection
37 fees ~~which~~ THAT are due and owing and have not been remitted to the
38 department within thirty days following the date due shall have a penalty fee
39 of ten per cent or ten dollars, whichever is larger, added to the amount due
40 when payment is finally made. The assessment of this penalty fee shall not
41 prevent the director from taking other actions as provided in this article.

1 2. Keep such records as may be necessary or required by the director
2 to indicate accurately the tonnage of commercial feed distributed in this
3 state. The director may examine such records to verify statements of
4 tonnage. Failure to make an accurate statement of tonnage or to pay the
5 inspection fee or comply as provided in this section shall constitute cause
6 for cancellation of any or all commercial feed licenses on file for the
7 distributor.

APPROVED BY THE GOVERNOR APRIL 23, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 26, 2010.

Passed the House March 3, 2010

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate April 19, 2010

by the following vote: 27 Ayes,

1 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

20 day of April, 2010

at 4:40 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 23rd. day of

April

at 4:30 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 26th day of April, 2010

at 12:30 o'clock P. M.

[Signature]
Secretary of State

H.B. 2286