

4:5-2.1  
LEGISLATIVE HISTORY CHECKLIST  
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(Agriculture--fees)

NJSA: 4:5-2.1

LAWS OF: 1997 CHAPTER: 363

BILL NO: S196

SPONSOR(S): Singer

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: Appropriations; Agriculture

SENATE: Senior Citizens

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: January 12, 1998

SENATE: November 7, 1996

DATE OF APPROVAL: January 19, 1998

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes 12-11-97 & 12-5-96

SENATE: Yes

FISCAL NOTE: Yes

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:  
REPORTS: No

HEARINGS: No

KBP:pp

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&  
4:5-2.2

P.L. 1997, CHAPTER 363, *approved January 19, 1998*  
Senate, No. 196

1 AN ACT concerning certain animal health programs administered by  
2 the Department of Agriculture and supplementing Title 4 of the  
3 Revised Statutes.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

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8 1. a. The State Board of Agriculture may adopt, pursuant to the  
9 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
10 seq.), rules and regulations establishing a schedule in accordance with  
11 which the board may charge reasonable fees to defray the cost of:

12 (1) Animal disease diagnostic and testing services conducted  
13 pursuant to R.S.4:5-1 et seq.; and

14 (2) Animal health tests deemed necessary by the State Board of  
15 Agriculture.

16 b. Any fees established by the State Board of Agriculture pursuant  
17 to this section shall supersede all prior animal testing and diagnostic  
18 service fees on the date of the State Board of Agriculture's adoption  
19 of new fees pursuant to this section.

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21 2. a. There is hereby created in the Department of Agriculture a  
22 non-lapsing revolving fund to be known as the "Agriculture Fee  
23 Program Revolving Fund," hereinafter referred to as the fund, to be  
24 held separate and apart from all other funds of the State. All fees  
25 collected pursuant to section 1 of this act shall be deposited into the  
26 fund and appropriated annually by the Legislature based on estimates  
27 provided annually by the Director of Budget and Accounting in the  
28 Office of Management and Budget. All moneys appropriated from the  
29 fund shall be dedicated to the support of the program for which they  
30 were collected. All earnings received from the investment or deposit  
31 of moneys in the fund shall be credited to the fund.

32 b. The Secretary of the Department of Agriculture may adopt,  
33 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
34 (C.52:14B-1 et seq.), rules and regulations necessary for the  
35 implementation of the provisions of this section.

1     3. This act shall take effect immediately.

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7     Authorizes State Board of Agriculture to establish fees for certain  
   animal testing services.

1       3. This act shall take effect immediately.

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STATEMENT

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6       This bill would authorize the State Board of Agriculture to establish  
7 and charge reasonable fees for animal disease diagnostic and testing  
8 services and animal health tests deemed necessary by the board.

9       The schedule of fees would be adopted by the State Board of  
10 Agriculture pursuant to the "Administrative Procedure Act," P.L.1968,  
11 c.410 (C.52:14B-1 et seq.), and would supercede any other fees being  
12 charged by the board prior to the effective date of the schedule.

13       The bill also creates the "Agricultural Fee Program Revolving  
14 Fund," from which moneys would be appropriated annually based on  
15 estimates provided in the department's annual budget request. These  
16 moneys would be used to support the activities of the program for  
17 which the monies were collected.

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23 Authorizes State Board of Agriculture to establish fees for certain  
animal testing services.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

**SENATE, No. 196**

**STATE OF NEW JERSEY**

DATED: DECEMBER 11, 1997

The Assembly Appropriations Committee reports favorably Senate Bill No. 196.

Senate Bill No. 196 authorizes the State Board of Agriculture to establish and charge reasonable fees for animal disease diagnostic and testing services and animal health tests deemed necessary by the board.

The schedule of fees would be adopted by the State Board of Agriculture pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), and supersede any other fees being charged by the board prior to the effective date of the schedule.

The bill also creates the "Agricultural Fee Program Revolving Fund," from which moneys would be appropriated annually based on estimates provided in the department's annual budget request. These moneys would be used to support the activities of the program for which the monies were collected.

**FISCAL IMPACT:**

In the legislative fiscal estimate to this bill, the Office of Legislative Services (OLS) did not concur with nor could it confirm estimates by the department on an identical bill last session (Senate Bill No. 814 of 1994). At that time, the department estimated revenues for the first year to be \$30,000 and expenditures for two staff, additional materials and supplies, etc. at \$143,000. In the second year, revenues were estimated to be \$170,000 with expenditures of \$141,000, while in the third year, revenues were estimated to be \$210,000 and expenditures at \$149,000.

ASSEMBLY AGRICULTURE AND WASTE MANAGEMENT  
COMMITTEE

STATEMENT TO

**SENATE, No. 196**

**STATE OF NEW JERSEY**

DATED: DECEMBER 5, 1996

The Assembly Agriculture and Waste Management Committee favorably reports Senate Bill No. 196.

This bill would authorize the State Board of Agriculture to establish and charge reasonable fees for animal disease diagnostic and testing services and animal health tests deemed necessary by the board.

The schedule of fees would be adopted by the State Board of Agriculture pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), and would supersede any other fees being charged by the board prior to the effective date of the schedule.

The bill also creates the "Agricultural Fee Program Revolving Fund," from which moneys would be appropriated annually based on estimates provided in the department's annual budget request. These moneys would be used to support the activities of the program for which the monies were collected.

SENATE SENIOR CITIZENS, VETERANS AFFAIRS AND  
AGRICULTURE COMMITTEE

STATEMENT TO

SENATE, No. 196

**STATE OF NEW JERSEY**

DATED: JANUARY 18, 1996

The Senate Senior Citizens, Veterans Affairs and Agriculture Committee favorably reports Senate Bill No. 196.

This bill would authorize the State Board of Agriculture to establish and charge reasonable fees for animal disease diagnostic and testing services and animal health tests deemed necessary by the board.

The schedule of fees would be adopted by the State Board of Agriculture pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), and would supersede any other fees being charged by the board prior to the effective date of the schedule.

The bill also creates the "Agricultural Fee Program Revolving Fund," from which moneys would be appropriated annually based on estimates provided in the department's annual budget request. These moneys would be used to support the activities of the program for which the monies were collected.

This bill was pre-filed for introduction in the 1996 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

# LEGISLATIVE FISCAL ESTIMATE TO

## SENATE, No. 196

# STATE OF NEW JERSEY

DATED: April 30, 1996

Senate Bill No. 196 of 1996 authorizes the State Board of Agriculture to establish and charge reasonable fees for animal disease diagnostic and testing services and animal health tests deemed necessary by the board.

The schedule of fees would be adopted by the State Board of Agriculture pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), and would supersede any other fees being charged by the board prior to the effective date of the schedule.

The bill also creates the Agricultural Fee Program Revolving Fund, from which monies would be appropriated annually to the Department of Agriculture based on estimates provided in its annual budget request. These monies would be used to support the activities of the program for which they were collected.

Although the department did not provide fiscal information on the bill, it did complete a fiscal note worksheet for an identical bill from the 1994-1995 legislative session, Senate Bill No. 814 of 1994. At that time, the department provided the following estimates:

	<u>1st year</u>	<u>2nd year</u>	<u>3rd year</u>
Revenues	\$ 30,000	\$170,000	\$210,000
Expenditures	\$143,000	\$141,000	\$149,000

The department's expenditure estimates cover the salary costs of two new laboratory employees, additional materials and supplies, and the establishment of a courier service to handle the expected increase in testing samples.

The Office of Legislative Services (OLS) cannot concur with or confirm the department's estimates because it did not provide any information that substantiates or clarifies the types of new tests that would be established, the proposed fee rates, or the projected number of fee-payers. Also, it was not explained whether the revenue estimates referred to existing tests where fees would be established, or existing fee-based tests where fee rates would be increased. Last, it is unclear from the worksheet what portion, if any, of existing General Fund support for the department would be offset by these new revenues.

The OLS notes that, at present, only fees for equine infectious anemia testing are charged and appropriated to the department for program support (approximately \$40,000 annually). Also, the State Budget includes general language that appropriates any revenues



generated from such user fees to the department for program support. Hence, the establishment of a revolving fund under the bill may be unnecessary.

The legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.