

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1063, Page 1, Section A, Line 2, by
2 inserting after all of said section and line the following:
3

4 "263.070. 1. A schedule of fees to defray the cost of inspecting greenhouses, nurseries,
5 nursery dealers, nursery stock, plants, plant products and other materials is hereby established and
6 shall be listed in the rules made pursuant to sections 263.010 to 263.180. This fee schedule may be
7 revised from time to time to more accurately reflect the actual cost of these inspections.

8 2. Greenhouse inspection shall be optional and any grower of greenhouse plants who may
9 desire or find need for a certificate of greenhouse inspection may obtain semiannual inspection of
10 his greenhouse, premises and plants, by making application to the state entomologist. This
11 semiannual inspection and certification of greenhouses shall be performed under the same general
12 provisions as apply to the annual inspection of nurseries. Greenhouse inspection certificates shall
13 expire on November thirtieth of each year.

14 3. All nurseries in this state shall be inspected at least once each year to ascertain whether
15 they are infested or infected with plant pests and shall comply with the affidavit requirements under
16 paragraph (d) of subdivision (1) of subsection 5 of this section. Upon full payment of the fee and
17 submission of the affidavit each nurseryman shall receive a written notice of the findings of such
18 inspection along with a nursery inspection certificate; except that, the state entomologist may
19 withhold certification of a nursery pending eradication of extremely serious or abundant plant pests
20 or weeds of such nature which would prevent the adequate inspection of such nursery. This
21 certificate shall be used in connection with the shipment or movement of any nursery stock shown to
22 be apparently free of harmful and destructive plant pests or other nursery stock from which harmful
23 and destructive plant pests have been eliminated. All nursery inspection certificates shall expire on
24 September thirtieth of each year. Each nursery shall be allowed one retail sales outlet per certificate.
25 Additional outlets shall require separate nursery dealer registration-inspection certificates. When
26 the findings of the annual inspection of a nursery shall in the opinion of the state entomologist
27 warrant such action, additional inspections of the nursery may be made and the nursery may be
28 charged a fee sufficient to cover the cost of such reinspection.

29 4. By notice in writing the state entomologist may require a nurseryman to hold any variety
30 or any amount of nursery stock for inspection or reinspection by quarantining such nursery stock

Action Taken _____ Date _____

1 whenever such action is necessary to determine that it is free from pests or to allow time to eradicate
 2 any such pests. The state entomologist may further order the removal from sale and the treatment or
 3 destruction of any nursery stock infested or infected with especially injurious pests or nursery stock
 4 which is not viable or is in such damaged or desiccated condition as to be incapable of reasonable
 5 growth. No compensation shall be paid for any stock ordered destroyed.

6 5. (1) Each nursery dealer, before selling or offering for sale or otherwise distributing
 7 nursery stock within this state, shall annually obtain a nursery dealers' registration-inspection
 8 certificate for each individual location from which the dealer sells or offers for sale nursery stock.
 9 Each nursery dealer shall make application on forms to be provided by the state entomologist for
 10 each individual location, which shall include:

11 (a) The name and complete address of the nursery dealer's place of business for which such
 12 certificate is requested;

13 (b) A declaration that applicant will obtain and distribute only inspected and certified
 14 nursery stock; ~~and~~

15 (c) An up-to-date listing of all sources from which ~~[he]~~ the nursery dealer secures nursery
 16 stock; and

17 (d) An affidavit that the nursery dealer shall not knowingly and intentionally import, export,
 18 buy, sell, transport, distribute, or propagate any viable plant portion or seeds of:

19 a. Climbing euonymus (Euonymus fortunei variety Coloratus), all varieties and cultivars of
 20 Japanese honeysuckle (Lonicera japonica), or all varieties and cultivars of Sericea lespedeza
 21 (Lespedeza cuneata), or perilla mint (Perilla frutescens) on or after January 1, 2027; or

22 b. Burning bush (Euonymus alatus 'Compactus') or all varieties and cultivars of Callery pear
 23 (Pyrus calleryana) on or after January 1, 2029.

24 (2) Each nursery dealer shall pay, at the time of making application, the annual registration-
 25 inspection fee as set forth in the rules made pursuant to sections 263.010 to 263.180.

26 (3) All nursery dealer registration-inspection certificates shall expire on September thirtieth
 27 of each year.

28 (4) The state entomologist may inspect or cause to be inspected the premises of any nursery
 29 dealer including any sales yard, packing shed, nursery stock on hand or equipment, for the presence
 30 of dangerous and destructive plant pests which may be disseminated on nursery stock.

31 6. By notice in writing the state entomologist may require a nursery dealer to hold any
 32 variety or any amount of nursery stock by quarantining such nursery stock whenever such action is
 33 necessary to determine that it is free from pests or to allow time to eradicate any such pests. The
 34 state entomologist may further order the removal from sale and the treatment or destruction of any
 35 nursery stock infested or infected with especially injurious pests, or nursery stock which is not
 36 viable or is in such damaged or desiccated condition as to be incapable of reasonable growth. No
 37 compensation shall be paid for any stock ordered destroyed.

38 7. Any person in need of a special inspection and certification of nursery stock, other plants
 39 or plant products may upon request to the state entomologist have same inspected for plant pests. A

1 fee sufficient to cover the cost of such inspection or certificate, or both, may be charged. Upon
2 completion of the inspection and payment of the fee, a certificate of inspection shall be issued
3 provided the plants or plant products are free of harmful plant pests. The state entomologist may
4 enter into agreements with various persons or companies, to carry out the requirements of this state
5 and importing states or countries.

6 8. All moneys received for any inspection fee or other receipts under this law shall be
7 deposited in the state treasury and shall be subject to appropriation by the general assembly."; and
8

9 Further amend said bill by amending the title, enacting clause, and intersectional references
10 accordingly.