



## **THE CENTRAL PLANT BOARD**

Illinois · Indiana · Iowa · Kansas · Michigan  
Minnesota · Missouri · Nebraska · North Dakota  
Ohio · South Dakota · Wisconsin

---

---

### **CENTRAL PLANT BOARD 2008 ANNUAL MEETING Madison, WI RESOLUTION NO. 2**

#### **FEDERAL EXPORT FEES TO STATES**

**Whereas**, the USDA, APHIS, PPQ is charged with the federal export certification program; and

**Whereas**, the USDA cannot provide full export certification services for our agriculture industries, resulting in individual states entering into voluntary compliance agreements with the USDA to carry out the certification functions required by our trading partners; and

**Whereas**, USDA hired a consultant to review federal program costs; and

**Whereas**, the consultant determined program costs needed to be increased; and

**Whereas**, the USDA proposed as part of the cost increase to charge states cooperating with the USDA in their export program a fee per certificate issued by state cooperators; and

**Whereas**, many state fee structures are set in state statute or state regulations

**Whereas**, the Central Plant Board finds that the proposed additional cost: will be difficult to collect from state customers using PCIT because the exporter of record may not be the billable entity; and

the surcharge is an unfunded mandate for state agencies which may not have statutory authority to collect a federal charge and/or transfer funds to the federal government; and

the surcharge may force some states to cancel their agreements with the USDA thereby increasing certification workloads beyond available budgetary and staffing resources for states continuing to cooperate in the export program;

**Therefore,** the Central Plant Board finds that a federally mandated certificate fee may be in conflict with state statutes and regulations and that the collection of such fees by the state on behalf of the federal government is an unfunded mandate that requires states to perform additional tasks and work without compensation.

**Be it resolved:** by the Central Plant Board at its 84<sup>th</sup> annual meeting in Madison Wisconsin on March 13, 2008, requests that USDA APHIS PPQ avoid imposing fees that may conflict with state statutes or rules and that USDA develop a fee structure to compensate states that may collect fees for the USDA.

**Distribution :**

To: Cindy Smith, Administrator, USDA, APHIS  
Rebecca Bech, Deputy Administrator, USDA, APHIS, PPQ  
Bob Ehart, NASDA  
Walker Gray Haun, President, National Plant Board  
Regional Plant Board Presidents