

**OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY  
ESTABLISHMENT OF FEE REPORT  
MANDATED BY 74 O.S. § 3117**

**MANDATED LANGUAGE**

*Prior to the establishment or increase of a fee, the agency, constitutionally or statutorily created state board, bureau, commission, office, authority, public trust in which the state is a beneficiary, or interstate commission, except governing boards for entities within The Oklahoma State System of Higher Education for which fees are reported pursuant to Section 3218.2 of Title 70 of the Oklahoma Statutes, shall notify, in writing, the Governor, the Speaker of the House of Representatives, the Government Operations, Agency Oversight and Administrative Rules Committee and the President Pro Tempore of the Senate of the intended action. The notice shall include justification for the fee or fee increase and all supportive documentation.*

**RULE:**

35:30-17-1.2  
35:30-25-15  
35:30-27-11

**REPORT PREPARED BY AGENCY:**

October 19, 2017

**AGENCY INTENT/SUMMARY/JUSTIFICATION:**

The proposed rule amendments increase the registration fee for pesticides and devices; eliminate the annual fee for a non-restricted use pesticide dealer; and add a penalty for late renewals of applicator licenses. Due to continued decreases in appropriations, the Department has insufficient financial resources to adequately fund the pesticide program. The pesticide program is necessary for the safety of both animals and humans. Accordingly, the proposed rule amendments are necessary to protect the public health, safety, and welfare.

**AUTHORITY FOR THE NEW RULES AND FEES:**

Okla. Const., Art. 6, § 31; 2 O.S. § 2-4(A)(2); State Board of Agriculture; 2 O.S. § 3-81 et seq.; 2 O.S. § 8-1 et seq.; and 2 O.S. § 8-41.1 et seq.

**THE FOLLOWING SUPPORTIVE DOCUMENTATION IS ATTACHED:**

- ❖ Summary of Significant Changes to the Fee Schedule
- ❖ Justification of Fee
- ❖ Draft of the Proposed Rule
- ❖ Rule Impact Statement

***Summary of Significant Changes to the Fee Schedule:***

- ❖ OAC 35:30-17-1.2
  - Increases fee for the annual registration of pesticides and devices.
  - Adds a penalty for late renewals of pesticide applicator licenses.

***Justification of Fee***

Due to continued decreases in appropriations, the Department has insufficient financial resources to adequately fund the pesticide program. The pesticide program is necessary for the safety of both animals and humans. Accordingly, the proposed rule amendments are necessary to protect the public health, safety, and welfare.