

**ELECTRONIC GOVERNMENT SERVICES
AMENDMENTS - AGRICULTURE**

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Richard M. Siddoway

This act modifies provisions of the Utah Agricultural Code to facilitate the making of certain communications or the taking of certain action electronically. This act also makes technical changes.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

4-11-4, as last amended by Chapter 130, Laws of Utah 1985

4-22-8, as last amended by Chapter 253, Laws of Utah 1994

4-33-8, as last amended by Chapter 130, Laws of Utah 1985

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **4-11-4** is amended to read:

**4-11-4. Bee raising -- Registration required -- Application -- Fees -- Renewal --
Wax-salvage plants -- License required -- Application -- Fees -- Renewal.**

(1) No person may raise bees in this state without being registered with the department. Application for registration to raise bees shall be made to the department upon tangible or electronic forms prescribed and furnished by it. The application shall specify the name and address of the applicant, the number of bee colonies owned by the applicant, and any other relevant information the department considers appropriate. Upon receipt of a proper application and payment of an annual registration fee determined by the department pursuant to Subsection 4-2-2(2), the commissioner shall issue a registration to the applicant valid through December 31 of the year in which the registration is issued subject to suspension or revocation for cause. Each bee registration is renewable for a period of one year upon the payment of an annual registration renewal fee determined by the department pursuant to Subsection 4-2-2(2). Registration shall be renewed on or before December 31 of each year.

(2) No person may operate a wax-salvage plant without a license issued by the department.

Application for a license to operate a wax-salvage plant shall be made to the department upon tangible or electronic forms prescribed and furnished by it [~~which~~]. The application shall specify such information as the department [~~deems~~] considers appropriate. Upon receipt of a proper application and payment of a license fee determined by the department pursuant to Subsection 4-2-2(2), the commissioner, if satisfied that the convenience and necessity of the industry and the public will be served, shall issue a license entitling the applicant to operate a wax-salvage plant through December 31 of the year in which the license is issued, subject to suspension or revocation for cause. A wax-salvage license is renewable for a period of one year, on or before December 31 of each year, upon the payment of an annual license renewal fee determined by the department pursuant to Subsection 4-2-2(2).

Section 2. Section **4-22-8** is amended to read:

4-22-8. Revenue from assessment used to promote dairy industry -- Deposit of funds -- Annual audit of books, records, and accounts -- Annual financial report to producers.

(1) The revenue derived from the assessment imposed by Section 4-22-7 shall be used exclusively for the:

- (a) administration of this chapter; and
- (b) promotion of the state's dairy industry.

(2) (a) A voucher, receipt, or other written record for each withdrawal from the Utah Dairy Commission Fund shall be kept by the commission.

(b) No funds shall be withdrawn from the fund except upon order of the commission.

(3) The commission may deposit the proceeds of the assessment in one or more accounts in one or more banks approved by the state as depositories.

(4) The books, records, and accounts of the commission's activities are public records.

(5) (a) The accounts of the commission shall be audited once annually by a licensed accountant selected by the commissioner and approved by the state auditor.

(b) The results of the audit shall be submitted to the:

- (i) commissioner;
- (ii) commission; and

(iii) Division of Finance.

(c) It is the responsibility of the commission to [maif] send annually a financial report to each producer.

Section 3. Section **4-33-8** is amended to read:

**4-33-8. Locking and sealing of pumps in violation of chapter -- Posting notice --
Removal of sealed fuel -- Resealing.**

(1) The department may lock and seal any pump or other dispensing device which is in violation of this chapter. If such action is taken, the department shall post a notice in a conspicuous place on the pump or other dispensing device stating that the device has been sealed by the department and that it is unlawful to break or destroy the seal or to mutilate or alter the notice.

(2) Any person who is aggrieved by the action of the department may advise the department that such person intends to remove the balance of the motor fuel from the tank or other container which contains the sealed fuel. The department, within two working days after the receipt of such notice, shall break the seal or lock for the container to be emptied.

(3) If the aggrieved party fails to remove the sealed motor fuel within 24 hours after the department breaks the seal, the department may reseal the dispensing device. The seal may not be broken nor the contents of any container removed, except after a subsequent written notice of intent to remove is filed with the department and upon the payment of a service charge determined by the department pursuant to Subsection 4-2-2(2). A notice of intent to remove may be filed on paper or electronically.