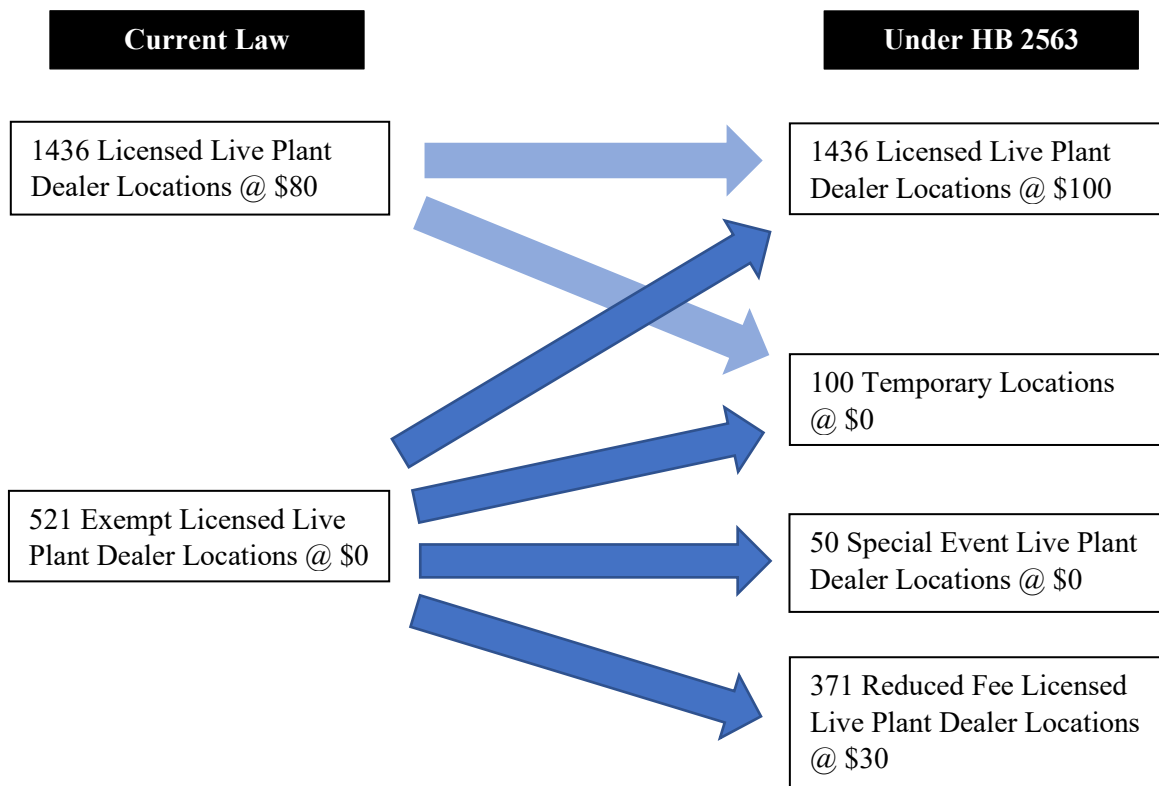


Flow Chart to Explain Live Plant Dealer (LPD) License Structure Changes



Current law includes an exemption for LPDs that are considered low risk because of limited plant movement and limited receipts from the sales of live plants. Examples of typical LPDs that qualify for the exemption include nonprofit groups, farmers’ market vendors who primarily sell produce, small town grocery stores that sell plants seasonally, contractors who mostly provide lawn care or maintenance services and only occasionally install plant material, etc.

Exempt dealers pay no fee, but must register with the department and are treated the same as other dealers regarding license renewals, verification inspections, etc. There is a lot of confusion regarding being “exempt” from licensing but still required to register. There are also costs to the agency associated with mailing and processing forms to these exempt dealers, inspections, etc.

The proposed revision would replace the licensing exemption with a reduced fee LPD license and a special event live plant dealer registration. The reduced fee LPD license is meant for dealers who are low risk and have very limited receipts from the sales of live plants, like the previous exemption criteria. The limit of gross sales is lower, meaning that more dealers will be required to have a full license. This will primarily affect landscapers and similar contractors. Under the revision, reduced fee LPDs would be allowed to import plants where previously exempt dealers could not. This will help small town grocery stores and smaller contracting companies who might still fall under the maximum sales category, but would buy some plants from neighboring states. This often happens in border counties where resources are limited, and in the Kansas City metro area where LPDs wish to source from both sides of the state line.

The special event live plant dealer registration is meant for nonprofits and similar groups having short-term fundraising sales. These groups/sales are low volume compared to other growers in the state, and many of the plants they sell are produced in their own facilities or purchased from licensed Kansas dealers who are already being inspected. Although there is some cost to registering these sales, it is less than maintaining a license and providing regular inspection services. We also recognize that a licensing fee hinders the fundraising of these groups. Excluding temporary locations from the license requirement will solve the issue related to requiring additional licenses for farmers' markets or similar locations.