

MAINE STATE LEGISLATURE

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AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 73, L.D. 223, Bill, "An Act To Ensure That the Money Received from the Surcharge on Registration of Pet Food Is Used for the Sterilization of Animals"

Amend the bill by striking out the title and substituting the following:

'An Act To Ensure That Money from the Surcharge on Registration of Pet Food for the Sterilization of Animals is Received in a Timely Manner'

Amend the bill by striking out the emergency preamble (page 1, lines 1 to 16 in L.D.) and inserting the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Public Law 2005, chapter 281 imposed a surcharge of \$20 on registered pet food; and

Whereas, funds must be available to the Companion Animal Sterilization Fund early in the calendar year so that animals may be spayed or neutered in a timely manner; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill in section 1 by striking out all of subsection 4 (page 1, lines 20 to 27 in L.D.) and inserting in its place the following:

'4. Surcharge on registration of pet food. For each product name of pet food registered in accordance with subsection 1, the applicant shall pay a \$20 surcharge in addition to the registration fee, except that a home-based manufacturer of pet food shall pay a total annual surcharge of \$20. The commissioner shall deposit the surcharge directly into the Animal Welfare Fund established under section 3906-B, subsection 2

COMMITTEE AMENDMENT

REG

1 Companion Animal Sterilization Fund established under section 3910-B as it is received
2 until the total of the surcharges received for that registration year equals \$100,000.

3 The commissioner shall deposit all surcharges received for a registration year in excess of
4 \$100,000 into the Animal Welfare Fund established under section 3906-B, subsection 2.'

5 Amend the bill in section 2 in the 4th and 5th lines (page 1, lines 33 and 34 in L.D.)
6 by striking out the following: "~~and all revenue from the surcharge collected under section~~
7 ~~714, subsection 4~~" and inserting the following: 'and all revenue in excess of \$100,000
8 from the surcharge collected under section 714, subsection 4'

9 Amend the bill in section 3 in subsection 1 in the 5th and 6th lines (page 2, lines 11
10 and 12 in L.D.) by striking out the following: "~~section 714, subsection 4 and section~~
11 ~~3933, subsection 4, money transferred from the Animal Welfare Fund in accordance with~~
12 ~~section 3906 B, subsection 2~~" and inserting the following: 'section 3933, subsection 4,
13 money transferred from the Animal Welfare Fund in accordance with section 3906 B,
14 subsection 2 revenue received from surcharges in accordance with section 714,
15 subsection 4'

16 **SUMMARY**

17 This amendment specifies that the first \$100,000 in surcharges received by the
18 Department of Agriculture, Food and Rural Resources for the registration of pet food is
19 deposited in the Companion Animal Sterilization Fund.

FISCAL NOTE REQUIRED

(See attached)



Approved: 04/06/09 *MAC*

124th MAINE LEGISLATURE

LD 223

LR 423(02)

An Act To Ensure That the Money Received from the Surcharge on Registration of Pet Food Is Used for the Sterilization of Animals

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

No net fiscal impact

Fiscal Detail and Notes

This legislation eliminates the annual \$100,000 transfer from the Animal Welfare Fund to the Companion Animal Sterilization Fund. Instead, it specifies that pet food surcharges are deposited into the Companion Animal Sterilization Fund until the amount in any year equals \$100,000, at which point the surcharges are deposited into the Animal Welfare Fund.