

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 874, L.D. 1255, Bill, "An Act To Amend Certain Laws Related to the Department of Agriculture, Food and Rural Resources"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 7 MRSA §743-A is enacted to read:

§743-A. Tonnage report

1. Registrants required to report. On or before September 1st of each year, a registrant shall file with the commissioner, on a form prescribed by the commissioner, the number of tons of each brand and grade of commercial fertilizer sold by the registrant in the State during the 12 months preceding July 1st of that year. A fee of \$1 per ton or \$100 for each brand and grade of fertilizer, whichever is more, sold during the 12 months preceding July 1st of that year must accompany the form.

2. Fees; nonlapsing fund. The commissioner shall deposit all fees collected under this section in a dedicated, nonlapsing account established under section 765, subsection 2 for the purpose of administering and enforcing this subchapter and subchapter 5-A.

3. Commissioner's report. The commissioner may publish and distribute annually, to each registrant and other interested persons, a report showing the total tons of commercial fertilizer and the total tons by grade sold in the State.

Sec. 3. 7 MRSA §765, sub-§2, as enacted by PL 1987, c. 425, §§1 and 3, is amended to read:

2. Fees; nonlapsing fund. The commissioner shall collect all fees under this subchapter and section 743-A and deposit them with the Treasurer of State. ~~These funds shall be appropriated for~~ in a separate account to be used for carrying out this subchapter and subchapter 5, including the cost of inspection, sampling and analysis of commercial fertilizers and agricultural liming materials. These funds shall do not lapse, but shall remain in a carry-over account.

Sec. 4. 7 MRSA §766, sub-§1, as enacted by PL 1987, c. 425, §§1 and 3, is amended to read:

1. By registrants. On or before September 1st in each year each registrant shall file with the commissioner, on forms prescribed by ~~him~~ the commissioner, the number of tons

1 of each agricultural liming material sold during the 12 months preceding July 1st of the
2 ~~current~~ that year. A fee of \$1 per ton or \$100 for each brand of agricultural liming
3 material, whichever is more, sold during the 12 months preceding July 1st of that year
4 must accompany the form.'

5 Amend the bill by inserting after section 7 the following:

6 'Sec. 8. Appropriations and allocations. The following appropriations and
7 allocations are made.

8 **AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**
9 **Division of Quality Assurance and Regulation 0393**

10 Initiative: Provides funding for a limited-period Consumer Protection Inspector position
11 and related All Other costs to establish and administer the commercial fertilizer sampling
12 program.

| | | | |
|----|--|------------------|------------------|
| 13 | OTHER SPECIAL REVENUE FUNDS | 2009-10 | 2010-11 |
| 14 | Personal Services | \$65,832 | \$67,860 |
| 15 | All Other | \$56,155 | \$56,155 |
| 16 | | | |
| 17 | OTHER SPECIAL REVENUE FUNDS TOTAL | <u>\$121,987</u> | <u>\$124,015</u> |
| 18 | | | |

19 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
20 section number to read consecutively.

21 **SUMMARY**

22 This amendment requires a person registering commercial fertilizers to report the
23 tonnage sold and pay a fee based on the amount sold. The fee is deposited in a dedicated
24 account used for sampling, administration and enforcement of laws pertaining to the
25 analysis of commercial fertilizers and agricultural liming materials. The amendment also
26 adds an appropriations and allocations section.

27 **FISCAL NOTE REQUIRED**

28 (See attached)

29 SPONSORED BY: W.P.I.

30 (Representative PIEH)

31 TOWN: Bremen



124th MAINE LEGISLATURE

LD 1255

LR 456(05)

An Act To Amend Certain Laws Related to the Department of Agriculture, Food and Rural Resources

Fiscal Note for House Amendment " A "

Sponsor: Rep. Pieh of Bremen

Fiscal Note Required: Yes

Fiscal Note

| | 2009-10 | 2010-11 | Projections 2011-12 | Projections 2012-13 |
|-----------------------------------|-----------|-----------|------------------------|------------------------|
| Appropriations/Allocations | | | | |
| Other Special Revenue Funds | \$121,987 | \$124,015 | \$0 | \$0 |
| Revenue | | | | |
| Other Special Revenue Funds | \$150,000 | \$150,000 | \$150,000 | \$150,000 |

Fiscal Detail and Notes

This amendment requires registration of the amount of commercial fertilizer sold, and a fee to be assessed on that amount. Other Special Revenue Funds revenue is estimated to increase by \$150,000 from these fees. The bill includes an Other Special Revenue Funds allocation of \$121,987 in fiscal year 2009-10 and \$124,015 in fiscal year 2010-11 to the Department of Agriculture, Food and Rural Resources for a limited-period Consumer Protection Inspector and related administrative costs. The Inspector will establish and administer the commercial fertilizer program.