

MAINE STATE LEGISLATURE

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L.D. 1601

Date: 6/7/17

(Filing No. H-447)

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3 **AGRICULTURE, CONSERVATION AND FORESTRY**

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5 **STATE OF MAINE**
6 **HOUSE OF REPRESENTATIVES**
7 **128TH LEGISLATURE**
8 **FIRST REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 1104, L.D. 1601, Bill, "An Act To
10 Reduce Costs to Businesses by Phasing Out the Pet Food Surcharge"

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

12 '**An Act To Increase Funds Deposited into the Companion Animal Sterilization**
13 **Fund through the Pet Food Surcharge'**

14 Amend the bill in the emergency preamble by striking out the 2nd and 3rd paragraphs
15 (page 1, lines 3 to 6 in L.D.) and inserting the following:

16 '**Whereas**, it is imperative to provide additional funds for spaying and neutering
17 companion animals owned by low-income residents of Maine; and

18 **Whereas**, the funding source already exists and continues to grow; and

19 **Whereas**, directing additional existing funds to go into the Companion Animal
20 Sterilization Fund as soon as possible will help reduce companion animal overpopulation;
21 and'

22 Amend the bill by striking out all of section 1 and inserting the following:

23 '**Sec. 1. 7 MRSA §714, sub-§4**, as amended by PL 2009, c. 148, §1, is further
24 amended to read:

25 **4. Surcharge on registration of pet food.** For each product name of pet food
26 registered in accordance with subsection 1, the applicant shall pay a \$20 surcharge in
27 addition to the registration fee, except that a home-based manufacturer of pet food shall
28 pay a total annual surcharge of \$20. The commissioner shall deposit the surcharge
29 directly into the Companion Animal Sterilization Fund established under section 3910-B
30 as it is received until the total of the surcharges received for that registration year equals
31 \$100,000.

32 The commissioner shall deposit all surcharges received for a registration year in excess of
33 \$100,000 up to \$157,000 into the Animal Welfare Fund established under section
34 3906-B, subsection 2. The commissioner shall deposit all surcharges received for a

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COMMITTEE AMENDMENT "A" to H.P. 1104, L.D. 1601

1 registration year in excess of \$157,000 into the Companion Animal Sterilization Fund
2 established under section 3910-B.'

3 **SUMMARY**

4 This amendment replaces the bill and changes the title. It provides that funds from
5 the surcharge on pet food received for a registration year between \$100,000 and \$157,000
6 are deposited into the Animal Welfare Fund by the Commissioner of Agriculture,
7 Conservation and Forestry and that funds over \$157,000 are deposited into the
8 Companion Animal Sterilization Fund in addition to the \$100,000 currently provided to
9 the fund in statute.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



128th MAINE LEGISLATURE

LD 1601

LR 2333(02)

An Act To Reduce Costs to Businesses by Phasing Out the Pet Food Surcharge

Fiscal Note for Bill as Amended by Committee Amendment

A (H-447)

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

No net revenue change - Other Special Revenue Funds

Fiscal Detail and Notes

Under current law, a \$20 annual surcharge is assessed by the Department of Agriculture, Conservation and Forestry (ACF) on each product name of commercial feed that is pet food or that is pet food from a home-based manufacturer. The first \$100,000 collected is credited to the Companion Animal Sterilization Fund (CASF) and anything over \$100,000 is credited to the Animal Welfare Fund (AWF). This bill continues the \$20 annual surcharge, but changes the distribution by crediting any amounts over \$157,000 to the CASF, instead of to the AWF. Any amounts below \$157,000 would be distributed the same way as under current statute. This will increase revenue to the CASF and decrease revenue by the same amount to the AWF in any years when the total exceeds \$157,000. ACF may need to adjust allocations to the two funds to accommodate amounts collected in the future.