

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

Amend the bill by inserting after section 7 the following:

‘**Sec. 8. Appropriations and allocations.** The following appropriations and allocations are made.

**AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**

**Division of Quality Assurance and Regulation 0393**

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

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2009-10</b>	<b>2010-11</b>
Personal Services	\$65,832	\$67,860
All Other	\$56,155	\$56,155
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$121,987</b>	<b>\$124,015</b>

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

### **SUMMARY**

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

### **FISCAL NOTE REQUIRED** **(See attached)**