

## 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

**Legislative Document** 

No. 1601

H.P. 1104

House of Representatives, May 16, 2017

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

(EMERGENCY)

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative BLACK of Wilton. (GOVERNOR'S BILL)

1 Emergency preamble. Whereas, acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and Whereas, this legislation begins the process to phase out the pet food surcharge 3 4 assessed to manufacturers; and 5 Whereas, it is imperative to begin that process as soon as possible in order to eliminate the pet food surcharge entirely by fiscal year 2019-20; and 6 7 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 8 immediately necessary for the preservation of the public peace, health and safety; now, 10 therefore. Be it enacted by the People of the State of Maine as follows: 11 Sec. 1. 7 MRSA §714, sub-§4, as amended by PL 2009, c. 148, §1, is further 12 13 amended to read: 14 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 15 addition to the registration fee, except that a home-based manufacturer of pet food shall 16 pay a total annual surcharge of \$20, until June 30, 2017. For fiscal year 2017-18, the 17 18 applicant shall pay a \$10 surcharge in addition to the registration fee, except that a home-19 based manufacturer of pet food shall pay a total annual surcharge of \$10. For fiscal year 20 2018-19, the applicant shall pay a \$5 surcharge in addition to the registration fee, except that a home-based manufacturer of pet food shall pay a total annual surcharge of \$5. 21 Beginning in fiscal year 2019-20, the surcharge may not be assessed. The commissioner 22 23 shall deposit the surcharge directly into the Companion Animal Sterilization Fund established under section 3910-B as it is received until the total of the surcharges received 24 25 for that registration year equals \$100,000. 26 The commissioner shall deposit all surcharges received for a registration year in excess of \$100,000 into the Animal Welfare Fund established under section 3906-B, subsection 2. 27 28 **Emergency clause.** In view of the emergency cited in the preamble, this 29 legislation takes effect when approved. 30 **SUMMARY** 31 This bill eliminates the surcharge assessed on each product name of commercial feed 32 that is pet food or that is pet food from a home-based manufacturer by fiscal year 2019-33 20. This elimination will be done in phases until the assessed surcharge no longer exists.