
By: **Chairman, Environmental Matters Committee (Departmental -
Agriculture)**

Introduced and read first time: January 30, 2002

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2002

CHAPTER _____

1 AN ACT concerning

2 **Maryland Horse Industry Fund - Assessments on Commercial Equine Feed**

3 FOR the purpose of authorizing the Secretary of Agriculture to establish an
4 assessment on commercial equine feed; providing that any funds from the
5 assessment on commercial equine feed be paid into the Maryland Horse
6 Industry Fund to be used for certain purposes related to the Maryland equine
7 industry; and repealing a certain provision relating to the contents of the Fund;
8 requiring the Secretary to adopt certain ~~procedures~~ regulations related to the
9 assessment; providing for the termination of this Act; and generally relating to
10 assessments on commercial equine feed.

11 BY repealing and reenacting, with amendments,
12 Article - Agriculture
13 Section 2-708.2
14 Annotated Code of Maryland
15 (1999 Replacement Volume and 2001 Supplement)

16 BY adding to
17 Article - Agriculture
18 Section 6-107.2
19 Annotated Code of Maryland
20 (1999 Replacement Volume and 2001 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Agriculture

2 2-708.2.

3 (a) In this section, "Fund" means the Maryland Horse Industry Fund.

4 (b) There is a Maryland Horse Industry Fund in the Department.

5 (c) (1) The Fund is a continuing, revolving special fund to be maintained by
6 the State Treasurer.7 (2) The State Treasurer shall hold and the State Comptroller shall
8 account for the Fund.9 (d) The Fund shall be invested and reinvested. Any interest or other
10 investment earnings of the Fund shall be credited and paid into the Fund.11 (e) At the end of a fiscal year, any unspent or unencumbered balance in the
12 Fund shall revert to the General Fund of the State, in accordance with §§ 7-302 and
13 7-303 of the State Finance and Procurement Article.

14 (f) The Fund consists of:

15 (1) ~~Moneys made available from a nominal fee, not to exceed \$10 per~~
16 ~~service, imposed on the industry and collected by the Department, pursuant to~~
17 ~~regulation;~~18 ~~(2) MONEYS MADE AVAILABLE FROM AN ASSESSMENT ON EQUINE FEED~~
19 ~~AS REQUIRED UNDER § 6-107.2 OF THIS ARTICLE;~~20 ~~(2)}~~ ~~(3)~~ Moneys made available to the Fund by general, federal, or
21 special fund appropriations; and22 ~~(3)}~~ ~~(4)~~ Moneys made available to the Fund by gifts, grants or transfers
23 from any government or unit or instrumentality of a government or from any private
24 sector sources.25 (g) The Board shall use the moneys in the Fund in accordance with the
26 provisions of § 2-708 of this subtitle.27 (h) Except for the purposes in § 2-708.1 of this subtitle, the Board may not use
28 any moneys in the Fund for any other purpose of the Board.

29 6-107.2.

30 (A) THE SECRETARY MAY ESTABLISH AN ASSESSMENT OF UP TO \$2 PER TON
31 ON COMMERCIAL EQUINE FEED THAT IS SOLD IN MARYLAND.32 (B) THE ASSESSMENT SHALL BE PAID BY THE PERSON REGISTERING THE
33 FEED ACCORDING TO THE COLLECTION AND REPORTING GUIDELINES ESTABLISHED
34 BY THE SECRETARY BY REGULATION.

1 (C) ANY ASSESSMENTS COLLECTED SHALL BE PAID INTO THE MARYLAND
2 HORSE INDUSTRY FUND AS PROVIDED IN § 2-708.2 OF THIS ARTICLE.

3 (D) THE SECRETARY SHALL ~~ESTABLISH PROCEDURES~~ ADOPT REGULATIONS
4 TO:

5 (1) ALLOW A PERSON WHO PURCHASES COMMERCIAL EQUINE FEED IN
6 THE STATE TO REQUEST REIMBURSEMENT OF ANY ASSESSMENT THAT WAS PAID ON
7 THE FEED; AND

8 (2) REQUIRE THAT A PURCHASER OF FEED BE NOTIFIED, AT THE POINT
9 OF SALE, OF THE POSSIBILITY OF REIMBURSEMENT.

10 (E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, ANY
11 FUNDS COLLECTED UNDER THIS SECTION MAY BE USED ONLY FOR EDUCATION,
12 RESEARCH, AND PROMOTIONAL MATERIALS AND ACTIVITIES INTENDED TO BENEFIT
13 THE MARYLAND EQUINE INDUSTRY.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 2002. It shall remain effective for a period of 5 years and, at the end of June
16 30, 2007, with no further action required by the General Assembly, this Act shall be
17 abrogated and of no further force and effect.