

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1051

(Delegate Sossi, *et al.*)

Environmental Matters

Education, Health, and Environmental Affairs

Agriculture - Commercial Fertilizer - Required Signage at Retail Outlets

This bill requires any retail outlet distributing commercial fertilizer in bags weighing 50 pounds or more to prominently display a sign that advises customers that: (1) overuse of commercial fertilizers damages State waters, including the Chesapeake Bay; and (2) customers concerned with protecting and restoring the health of the Chesapeake Bay and other State waters should, before using a commercial fertilizer, receive a chemical analysis of the soil to be fertilized from a soil-testing laboratory.

The Maryland Department of Agriculture (MDA) is required to develop and make available at no cost to an affected retailer a sign that meets the requirements of the bill.

Fiscal Summary

State Effect: Minimal special fund expenditures associated with the implementation of the bill could be absorbed within currently budgeted resources.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: Each brand and grade of commercial fertilizer distributed in the State is required to be accompanied by a legible label bearing the following information: (1) the net weight; (2) the brand and grade under which the commercial fertilizer is distributed; (3) the guaranteed analysis giving the minimum percentage of every plant nutrient claimed to be contained in the fertilizer; and (4) the name and address of the manufacturer.

Background: The Chesapeake Bay is America's largest and most productive estuary with 6,000 miles of shoreline and the ability to produce over half a billion pounds of seafood each year. By the early 1980s, however, it became clear that the quality and productivity of the bay was in serious decline. Experts and policy makers generally agreed that many of the bay's problems were due to an increase in nutrient loadings from sewage treatment plants, agricultural use of manures and fertilizers, and urban runoff. In 2002 Maryland was responsible for 20% of the nitrogen, phosphorus, and sediment loads to the bay. Runoff from agricultural land contributes the largest source of nutrients (39% nitrogen, 43% phosphorus) and sediment (70%) to the bay from Maryland. Urban runoff contributes 21% of the nitrogen, 35% of the phosphorus, and 21% of the sediment. Specific point sources contribute 26% of the nitrogen and 20% of the phosphorus.

State Fiscal Effect: MDA advises that it would notify commercial fertilizer distributors and retailers of the requirements of the bill. This would require a mailing to approximately 2,500 locations. As a result, special fund expenditures would increase by \$925 (2,500 x \$0.37) in fiscal 2006. MDA has advised that it plans to make the required sign available for download from the department's web site. The Department of Legislative Services advises that these expenses could likely be absorbed within MDA's currently budgeted resources.

MDA currently conducts inspections of commercial fertilizer retailers and would check for compliance with requirements of the bill as part of the inspection process.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Agriculture, Department of Legislative Services

Fiscal Note History: First Reader - March 1, 2005
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