

HB0767/280914/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 767

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Afzali,”; in the same line, strike “Eckardt,”; in the same line, strike “O’Donnell,”; in the same line, strike “Norman,”; in the same line, strike “Vitale,”; in the same line, strike “and Zucker” and substitute “Zucker, Busch, Glenn, and Stein”; in line 6, strike “surcharge on” and substitute “fee on certain”; in the same line, strike “animal”; and in the same line, after “feed” insert “prepared and distributed for consumption by dogs or cats”; and strike beginning with “authorizing” in line 7 down through “rate;” in line 23.

On page 2, in line 10, after “programs;” insert “authorizing the Department to use the Fund for certain costs of administering the Fund;”; in line 18, after “Fund;” insert “requiring the Department to report to certain committees of the General Assembly on or before a certain date;”; in line 23, strike “2-303.1 and 6-107.4” and substitute “2-1601 through 2-1605 to be under the new subtitle “Subtitle 16. Spay/Neuter Fund””; and strike in their entirety lines 26 through 30, inclusive.

AMENDMENT NO. 2

On page 3, in line 7, strike “**2-303.1.**” and substitute:

“SUBTITLE 16. SPAY/NEUTER FUND.

2-1601.”;

in line 8, strike “**(1)**”; in the same line, strike “SECTION” and substitute “**SUBTITLE**”; in lines 10 and 12, strike “**(2)**” and “**(3)**”, respectively, and substitute “**(B)**” and “**(C)**”, respectively; in line 11, strike “THIS SECTION” and substitute “**§ 2-1604 OF THIS**

(Over)

SUBTITLE"; in line 12, after the second "FUND" insert "ESTABLISHED UNDER § 2-1602 OF THIS SUBTITLE"; after line 12, insert:

"2-1602.";

in lines 13, 14, 23, 24, and 28, strike "(B)", "(C)", "(D)", "(E)", and "(F)", respectively, and substitute "(A)", "(B)", "(C)", "(D)", and "(E)", respectively; and strike beginning with the colon in line 15 down through "FINANCING" in line 19 and substitute "FINANCING".

AMENDMENT NO. 3

On page 4, in line 2, strike "COMMERCIAL FEED REGISTRATION SURCHARGE" and substitute "FEE"; in the same line, strike "§ 6-107.4" and substitute "§ 2-1603"; in line 3, strike "ARTICLE" and substitute "SUBTITLE"; in lines 6, 7, and 8, strike "(3)", "(4)", and "(5)", respectively, and substitute "(2)", "(3)", and "(4)", respectively; strike in their entirety lines 4 and 5; in line 10, strike "(G)" and substitute "(F)".

On pages 4 through 6, strike in their entirety the lines beginning with line 12 on page 4 through line 11 on page 6, inclusive.

On page 6, in line 12, strike "(3)" and substitute "(2)".

AMENDMENT NO. 4

On page 7, in line 10, strike "(VI)" and substitute "(3)"; in the same line, strike "TO" and substitute ";

1. TO;

in line 12, after "PROGRAM" insert ";AND

2. FOR THE REASONABLE COSTS OF ADMINISTERING THE FUND

On pages 7 and 8, strike in their entirety the lines beginning with line 13 on page 7 through line 17 on page 8, inclusive.

AMENDMENT NO. 5

On page 8, in lines 18 and 22, strike “(I)” and “(J)”, respectively, and substitute “(G)” and “(H)”, respectively; and in line 24, after “REPORT” insert “QUARTERLY”.

AMENDMENT NO. 6

On page 9, in lines 1, 7, 9, 11, 14, and 17, strike “(K)”, “(2)”, “(3)”, “(4)”, “(5)”, and “(J)”, respectively, and substitute “(I)”, “(1)”, “(2)”, “(3)”, “(4)”, and “(H)”, respectively; strike line 6 in its entirety; and strike in their entirety lines 18 through 33, inclusive.

AMENDMENT NO. 7

On page 10, strike in their entirety lines 1 through 10, inclusive; in line 11, strike “6-107.4.” and substitute “2-1603.”; strike in their entirety lines 12 through 14, inclusive, and substitute:

“(A) (1) IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION, THE SECRETARY SHALL ESTABLISH A FEE ON EACH BRAND NAME OR PRODUCT NAME OF COMMERCIAL FEED THAT IS:

(I) PREPARED AND DISTRIBUTED FOR CONSUMPTION BY A DOG OR CAT; AND

(II) REGISTERED IN THE STATE UNDER § 6-107 OF THIS ARTICLE.

(Over)

(2) THE FEE ESTABLISHED UNDER THIS SUBSECTION IS:

(i) FROM OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014, INCLUSIVE, \$50;

(ii) FROM OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015, INCLUSIVE, \$75; AND

(iii) AFTER SEPTEMBER 30, 2015, \$100.”;

in line 15, strike “SURCHARGE” and substitute “**FEE ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION**”; in line 16, strike “ACCORDING TO” and substitute “**IN ACCORDANCE WITH**”; in line 18, strike “SURCHARGES” and substitute “**FEE**”; and strike beginning with “SPAY/NEUTER” in line 19 down through “ARTICLE” in line 20 and substitute “**FUND**”.

AMENDMENT NO. 8

On page 10, after line 20, insert:

“2-1604.

(A) THERE IS A SPAY/NEUTER ADVISORY BOARD.

(B) THE ADVISORY BOARD CONSISTS OF:

(1) THE SECRETARY, OR THE SECRETARY’S DESIGNEE; AND

(2) THE FOLLOWING MEMBERS, APPOINTED BY THE SECRETARY:

(I) ONE REPRESENTATIVE OF A PRIVATE ANIMAL SHELTER;

(II) ONE VETERINARIAN;

(III) ONE REPRESENTATIVE OF A LOCAL ANIMAL CONTROL
AGENCY;

(IV) ONE REPRESENTATIVE OF THE PET FOOD INDUSTRY;

AND

(V) TWO REPRESENTATIVES OF ANIMAL WELFARE
ADVOCACY ORGANIZATIONS.

(C) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE ADVISORY
BOARD.

(D) THE DEPARTMENT SHALL PROVIDE STAFF SUPPORT FOR THE
ADVISORY BOARD.

(E) A MEMBER OF THE ADVISORY BOARD:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
ADVISORY BOARD; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE
BUDGET.

(Over)

(F) THE ADVISORY BOARD SHALL ADVISE THE DEPARTMENT WITH RESPECT TO:

(1) THE ADMINISTRATION OF THE FUND;

(2) THE SOLICITATION AND EVALUATION OF COMPETITIVE GRANT PROPOSALS;

(3) APPROPRIATE ADDITIONAL STANDARDS FOR GRANT PROPOSALS;

(4) ADDITIONAL RELEVANT DATA THAT THE DEPARTMENT SHOULD REQUIRE FROM LOCAL ANIMAL SHELTERS AND APPROPRIATE ANIMAL CONTROL ORGANIZATIONS;

(5) THE ADOPTION OF REGULATIONS THAT IMPLEMENT THIS SUBTITLE; AND

(6) ANY OTHER APPROPRIATE MATTER WITH RESPECT TO THE IMPLEMENTATION OF THE FUND IN THE DISCRETION OF THE DEPARTMENT.

2-1605.

THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.”.

AMENDMENT NO. 9

On page 11, after line 1, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 15, 2015, the Maryland Department of Agriculture shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee, in accordance with § 2-1246 of the State Government Article, on the fee revenue collected under § 2-1603 of the Agriculture Article, as enacted by Section 1 of this Act.”;

in line 2, strike “2.” and substitute “3.”; in line 3, strike “6” and substitute “9”; and in line 4, strike “2019” and substitute “2022”.