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

Introduced and read first time: January 23, 2001

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of authorizing the Secretary of Agriculture to establish an
4 assessment on commercial horse feed; providing that any funds from the
5 assessment on commercial horse feed be paid into the Maryland Horse Industry
6 Fund; and requiring the Secretary to adopt certain regulations related to the
7 assessment; and generally relating to assessments on commercial horse feed.

8 BY repealing and reenacting, with amendments,
9 Article - Agriculture
10 Section 2-708.2
11 Annotated Code of Maryland
12 (1999 Replacement Volume and 2000 Supplement)

13 BY adding to
14 Article - Agriculture
15 Section 6-107.2
16 Annotated Code of Maryland
17 (1999 Replacement Volume and 2000 Supplement)

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

20 **Article - Agriculture**

21 2-708.2.

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

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

24 (c) (1) The Fund is a continuing, revolving special fund to be maintained by
25 the State Treasurer.

1 (2) The State Treasurer shall hold and the State Comptroller shall
2 account for the Fund.

3 (d) The Fund shall be invested and reinvested. Any interest or other
4 investment earnings of the Fund shall be credited and paid into the Fund.

5 (e) At the end of a fiscal year, any unspent or unencumbered balance in the
6 Fund shall revert to the General Fund of the State, in accordance with §§ 7-302 and
7 7-303 of the State Finance and Procurement Article.

8 (f) The Fund consists of:

9 (1) Moneys made available from a nominal fee, not to exceed \$10 per
10 service, imposed on the industry and collected by the Department, pursuant to
11 regulation; AND

12 (2) MONEYS MADE AVAILABLE FROM AN ASSESSMENT ON HORSE FEED
13 AS REQUIRED UNDER § 6-107.2 OF THIS ARTICLE.

14 [(2)] (3) Moneys made available to the Fund by general, federal, or
15 special fund appropriations; and

16 [(3)] (4) Moneys made available to the Fund by gifts, grants or transfers
17 from any government or unit or instrumentality of a government or from any private
18 sector sources.

19 (g) The Board shall use the moneys in the Fund in accordance with the
20 provisions of § 2-708 of this subtitle.

21 (h) Except for the purposes in § 2-708.1 of this subtitle, the Board may not use
22 any moneys in the Fund for any other purpose of the Board.

23 6-107.2.

24 (A) THE SECRETARY MAY ESTABLISH AN ASSESSMENT OF UP TO \$2 PER TON
25 ON COMMERCIAL FEED THAT IS SOLD IN MARYLAND AND INTENDED FOR HORSES.

26 (B) THE ASSESSMENT SHALL BE PAID BY THE PERSON REGISTERING THE
27 FEED ACCORDING TO THE COLLECTION AND REPORTING GUIDELINES ESTABLISHED
28 BY THE SECRETARY BY REGULATION.

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

31 (D) THE SECRETARY SHALL ESTABLISH BY REGULATION GUIDELINES FOR
32 COLLECTING AND REPORTING THE ASSESSMENTS UNDER THIS SECTION AND
33 PROCEDURES TO ALLOW REIMBURSEMENT OF THE ASSESSMENT.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 July 1, 2001.