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

Introduced and read first time: January 30, 2002

Assigned to: Environmental Matters

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A BILL ENTITLED

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; and requiring the Secretary to adopt certain procedures related  
7 to the assessment; and generally relating to assessments on commercial equine  
8 feed.

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

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

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

21 **Article - Agriculture**

22 2-708.2.

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

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

25 (c) (1) The Fund is a continuing, revolving special fund to be maintained by  
26 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;

12           (2)       MONEYS MADE AVAILABLE FROM AN ASSESSMENT ON EQUINE 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 EQUINE FEED THAT IS SOLD IN MARYLAND.

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 PROCEDURES TO ALLOW A PERSON  
32 WHO PURCHASES COMMERCIAL EQUINE FEED IN THE STATE TO REQUEST  
33 REIMBURSEMENT OF ANY ASSESSMENT THAT WAS PAID ON THE FEED.

34           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 July 1, 2002.