

(PRE-FILED)

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

Requested: November 15, 2004

Introduced and read first time: January 12, 2005

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 8, 2005

CHAPTER _____

1 AN ACT concerning

2 **Agriculture - Commercial Feed and Fertilizer, Agricultural Liming**
3 **Materials, and Pesticide Registration and Labeling Laws - Penalties**

4 FOR the purpose of authorizing the Secretary of Agriculture to impose an
5 administrative penalty on any person who violates the commercial feed and
6 fertilizer, agricultural liming materials, and pesticide registration and labeling
7 laws; requiring certain penalties to be paid into the General Fund of the State;
8 requiring the Secretary to adopt certain regulations; and generally relating to
9 the enforcement of the commercial feed and fertilizer, agricultural liming
10 materials, and pesticide registration and labeling laws.

11 BY adding to
12 Article - Agriculture
13 Section 5-107.1; and 6-401 to be under the new subtitle "Subtitle
14 4. Administrative Penalties"
15 Annotated Code of Maryland
16 (1999 Replacement Volume and 2004 Supplement)

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

1

Article - Agriculture

2 5-107.1.

3 (A) INSTEAD OF REFUSING OR CANCELLING A REGISTRATION, THE
4 SECRETARY MAY IMPOSE AN ADMINISTRATIVE PENALTY ON ANY PERSON WHO
5 VIOLATES ANY PROVISION OF THIS SUBTITLE.

6 (B) THE PENALTY IMPOSED UNDER THIS SECTION MAY NOT EXCEED \$2,000.

7 (C) ALL PENALTIES COLLECTED UNDER THIS SECTION SHALL BE PAID INTO
8 THE GENERAL FUND OF THE STATE.

9 (D) THE SECRETARY SHALL ADOPT REGULATIONS NECESSARY TO
10 IMPLEMENT THE PROVISIONS OF THIS SECTION.

11

SUBTITLE 4. ADMINISTRATIVE PENALTIES.

12 6-401.

13 (A) INSTEAD OF REFUSING OR CANCELLING A REGISTRATION, THE
14 SECRETARY MAY IMPOSE AN ADMINISTRATIVE PENALTY ON ANY PERSON WHO
15 VIOLATES ANY PROVISION OF THIS TITLE.

16 (B) THE PENALTY IMPOSED UNDER THIS SECTION MAY NOT EXCEED \$2,000.

17 (C) ALL PENALTIES COLLECTED UNDER THIS SECTION SHALL BE PAID INTO
18 THE GENERAL FUND OF THE STATE.

19 (D) THE SECRETARY SHALL ADOPT REGULATIONS NECESSARY TO
20 IMPLEMENT THE PROVISIONS OF THIS SECTION.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
22 effect October 1, 2005.