

**SB0820/844730/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 820  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “surcharge on” and substitute “fee on certain”; in the same line, strike “animal”; 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 5, after “programs;” insert “authorizing the Department to use the Fund for certain costs of administering the Fund;”; in line 13, after “Fund;” insert “requiring the Department to report to certain committees of the General Assembly on or before a certain date;”; in line 18, 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 21 through 25, inclusive.

AMENDMENT NO. 2

On page 3, in line 4, strike “**2-303.1.**” and substitute:

**“SUBTITLE 16. SPAY/NEUTER FUND.**

**2-1601.**”;

in line 5, strike “**(1)**”; in the same line, strike “SECTION” and substitute “**SUBTITLE**”; in lines 7 and 9, strike “**(2)**” and “**(3)**”, respectively, and substitute “**(B)**” and “**(C)**”, respectively; in line 8, strike “THIS SECTION” and substitute “**§ 2-1604 OF THIS SUBTITLE**”; in line 9, after the second “FUND” insert “**ESTABLISHED UNDER § 2-1602 OF THIS SUBTITLE**”; after line 9, insert:

**“2-1602.”**;

(Over)

in lines 10, 11, 20, 21, and 25, strike “(B)”, “(C)”, “(D)”, “(E)”, and “(F)”, respectively, and substitute “(A)”, “(B)”, “(C)”, “(D)”, and “(E)”, respectively; strike beginning with the colon in line 12 down through “FINANCING” in line 16 and substitute “FINANCING”; in line 27, strike “COMMERCIAL FEED REGISTRATION SURCHARGE” and substitute “FEE”; in the same line, strike “§ 6-107.4” and substitute “§ 2-1603”; and in line 28, strike “ARTICLE” and substitute “SUBTITLE”.

AMENDMENT NO. 3

On page 4, in lines 3, 4, and 5, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively; strike in their entirety lines 1 and 2; and in line 7, strike “(G)” and substitute “(F)”.

On pages 4 through 6, strike in their entirety the lines beginning with line 9 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 16 on page 8, inclusive.

AMENDMENT NO. 5

On page 8, in lines 17 and 21, strike “(I)” and “(J)”, respectively, and substitute “(G)” and “(H)”, respectively; and in line 23, 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 34, inclusive.

AMENDMENT NO. 7

On page 10, strike in their entirety lines 1 through 9, inclusive; in line 10, strike “6-107.4.” and substitute “2-1603.”; strike in their entirety lines 11 through 13, 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.**

**(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 14, strike “SURCHARGE” and substitute “**FEE ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION**”; in line 15, strike “ACCORDING TO” and substitute “**IN ACCORDANCE WITH**”; in line 17, strike “SURCHARGES” and substitute “**FEE**”; and strike beginning with “SPAY/NEUTER” in line 18 down through “ARTICLE” in line 19 and substitute “**FUND**”.

**AMENDMENT NO. 8**

On page 10, after line 19, 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.

(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”.