

HOUSE BILL 1293

M4

71r0018

By: **Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)**

Introduced and read first time: February 26, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Horse Industry Fund – Assessments on Commercial Equine Feed**

3 FOR the purpose of altering the date for the abrogation of the Secretary of
4 Agriculture’s authority to establish an assessment on commercial equine feed
5 for the use of the Maryland Horse Industry Fund.

6 BY repealing and reenacting, without amendments,
7 Article – Agriculture
8 Section 2–708.2 and 6–107.2
9 Annotated Code of Maryland
10 (1999 Replacement Volume and 2006 Supplement)

11 BY repealing and reenacting, with amendments,
12 Chapter 223 of the Acts of the General Assembly of 2002
13 Section 2

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

16 **Article – Agriculture**

17 2–708.2.

18 (a) In this section, “Fund” means the Maryland Horse Industry Fund.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

8 (e) At the end of a fiscal year, any unspent or unencumbered balance in the
9 Fund shall revert to the General Fund of the State, in accordance with §§ 7–302 and
10 7–303 of the State Finance and Procurement Article.

11 (f) The Fund consists of:

12 (1) Moneys made available from an assessment on equine feed as
13 required under § 6–107.2 of this article;

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

16 (3) 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
22 use 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 on
25 commercial equine feed that is sold in Maryland.

26 (b) The assessment shall be paid by the person registering the feed according
27 to the collection and reporting guidelines established by the Secretary by regulation.

28 (c) Any assessments collected shall be paid into the Maryland Horse
29 Industry Fund as provided in § 2–708.2 of this article.

1 (d) The Secretary shall adopt regulations to:

2 (1) Allow a person who purchases commercial equine feed in the State
3 to request reimbursement of any assessment that was paid on the feed; and

4 (2) Require that a purchaser of feed be notified, at the point of sale, of
5 the possibility of reimbursement.

6 (e) Notwithstanding any other provision of this subtitle, any funds collected
7 under this section may be used only for education, research, and promotional
8 materials and activities intended to benefit the Maryland equine industry

9 **Chapter 223 of the Acts of 2002**

10 SECTION 2. AND BE IF FURTHER ENACTED, That this Act shall take effect
11 July 1, 2002. It shall remain effective for a period of [5] 14 years and, at the end of
12 June 30, [2007] 2016, with no further action required by the General Assembly, this
13 Act shall be abrogated and of no further force and effect.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 2007.