

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 7 MRSA §743-A, as amended by PL 2011, c. 607, §1, is further amended to read:

§ 743-A. Tonnage report

1. Registrants required to report. On or before September 1st of each year, a registrant shall file with the commissioner, on a form prescribed by the commissioner, the number of tons of each brand and grade of commercial fertilizer sold by the registrant in the State during the 12 months preceding July 1st of that year. ~~A fee of \$1 per ton sold during the 12 months preceding July 1st of that year must accompany the form.~~

2. Fees; nonlapsing fund. ~~The commissioner shall deposit all fees collected under this section in a dedicated, nonlapsing account established under section 765, subsection 2 for the purpose of administering and enforcing this subchapter and subchapter 5-A.~~

3. Commissioner's report. The commissioner may publish and distribute annually, to each registrant and other interested persons, a report showing the total tons of commercial fertilizer and the total tons by grade sold in the State.

Sec. 2. 7 MRSA §765, sub-§2, as amended by PL 2009, c. 393, §4, is further amended to read:

2. Fees; nonlapsing fund. The commissioner shall collect all fees under this subchapter ~~and section 743-A~~ and deposit them with the Treasurer of State in a separate account to be used for carrying out this subchapter and subchapter 5, including the cost of inspection, sampling and analysis of commercial fertilizers and agricultural liming materials. These funds do not lapse, but remain in a carry-over account.

Sec. 3. 7 MRSA §766, sub-§1, as amended by PL 2011, c. 607, §2, is further amended to read:

1. By registrants. On or before September 1st in each year each registrant shall file with the commissioner, on forms prescribed by the commissioner, the number of tons of each agricultural liming material sold during the 12 months preceding July 1st of that year. ~~A fee of \$1 per ton sold during the 12 months preceding July 1st of that year must accompany the form.~~

Sec. 4. Remaining account balance distribution. The Commissioner of Agriculture, Conservation and Forestry shall distribute the funds collected from the fees on commercial fertilizer pursuant to the Maine Revised Statutes, Title 7, section 743-A and agricultural liming materials pursuant to Title 7, section 766 that are in the nonlapsing, carry-over account established pursuant to Title 7, section 765 pursuant to this section. The commissioner shall distribute 50% of these funds for making improvements to the State of Maine Building and grounds at the Eastern States Exposition in

West Springfield, Massachusetts that are managed by the Department of Agriculture, Conservation and Forestry. The commissioner shall distribute the other 50% of the funds to the Maine Potato Board to be used as matching funds for the United States Department of Agriculture, Natural Resources Conservation Service, Regional Conservation Partnership Program project "Public-Private Partnerships to Improve Soil Health and Improve Water Quality in Aroostook County, Maine."

SUMMARY

This bill changes the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act to eliminate fees of \$1 per ton on commercial fertilizers and agricultural liming materials. It directs the Commissioner of Agriculture, Conservation and Forestry to distribute 50% of the remaining funds collected from those fees to pay for improvements to Maine's facilities at the Eastern States Exposition in Massachusetts and the other 50% to the Maine Potato Board to provide matching funds for a federal soil health and water quality project.