



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 207

S.P. 76

In Senate, February 3, 2015

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

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator WILLETTE of Aroostook.
Cosponsored by Representative WHITE of Washburn and
Senators: CUSHING of Penobscot, DILL of Penobscot, Representatives: BLACK of Wilton,
HANINGTON of Lincoln, LONG of Sherman, McELWEE of Caribou, WARD of Dedham.

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

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

4 **§743-A. Tonnage report**

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

10 ~~**2. Fees; nonlapsing fund.** The commissioner shall deposit all fees collected under~~
11 ~~this section in a dedicated, nonlapsing account established under section 765, subsection~~
12 ~~2 for the purpose of administering and enforcing this subchapter and subchapter 5-A.~~

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

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

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

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

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

30 **Sec. 4. Remaining account balance distribution.** The Commissioner of
31 Agriculture, Conservation and Forestry shall distribute the funds collected from the fees
32 on commercial fertilizer pursuant to the Maine Revised Statutes, Title 7, section 743-A
33 and agricultural liming materials pursuant to Title 7, section 766 that are in the
34 nonlapsing, carry-over account established pursuant to Title 7, section 765 pursuant to
35 this section. The commissioner shall distribute 50% of these funds for making
36 improvements to the State of Maine Building and grounds at the Eastern States
37 Exposition in West Springfield, Massachusetts that are managed by the Department of
38 Agriculture, Conservation and Forestry. The commissioner shall distribute the other 50%
39 of the funds to the Maine Potato Board to be used as matching funds for the United States

1 Department of Agriculture, Natural Resources Conservation Service, Regional
2 Conservation Partnership Program project "Public-Private Partnerships to Improve Soil
3 Health and Improve Water Quality in Aroostook County, Maine."

4 **SUMMARY**

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