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1 **Act 64. Sec. 10 Fertilizer Tonnage Fees**

2 Sec. 10. 6 V.S.A. § 366 is amended to read:

3 § 366. TONNAGE FEES

4 (a) **There shall be paid annually to the ~~secretary~~ Secretary for all fertilizers**
5 **distributed to a nonregistrant consumer in this ~~state~~ State an annual ~~inspection~~ fee at a**
6 **rate of \$0.25 cents per ton.**

7 (b) Persons distributing fertilizer shall report annually by January 15 for the
8 previous year ending December 31 to the ~~secretary~~ Secretary revealing the amounts of
9 each grade of fertilizer and the form in which the fertilizer was distributed within this
10 ~~state~~ State. Each report shall be accompanied with payment and written permission
11 allowing the ~~secretary~~ Secretary to examine the person's books for the purpose of
12 verifying tonnage reports.

13 (c) No information concerning tonnage sales furnished to the ~~secretary~~ Secretary
14 under this section shall be disclosed in such a way as to divulge the details of the
15 business operation to any person unless it is necessary for the enforcement of the
16 provisions of this chapter.

17 ~~(d) A \$50.00 minimum tonnage fee shall be assessed on all distributors who~~
18 ~~distribute fertilizers in this state. [Repealed.]~~

19 (e) Agricultural limes, including agricultural lime mixed with wood ash, are
20 exempt from the tonnage fees required in this section.

21 (f) Lime and wood ash mixtures may be registered as agricultural liming materials
22 and guaranteed for potassium or potash provided that the wood ash totals less than 50
23 percent of the mixture.

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1 (g) All fees collected under subsection (a) of this section shall be deposited in the
2 revolving fund created by section 364(e) of this title and used in accordance with its
3 provisions.

4 (h) There shall be paid annually to the Secretary for all nonagricultural fertilizers
5 distributed to a nonregistrant consumer in this State an annual fee at a rate of \$30.00
6 per ton of **nonagricultural** fertilizer for the purpose of supporting agricultural water
7 quality programs in Vermont.

8 (1) Persons distributing any fertilizer in the State shall report annually on or
9 before January 15 for the previous year ending December 31 to the Secretary revealing
10 the amounts of each grade of fertilizer and the form in which the fertilizer was
11 distributed within this State. Each report shall be accompanied with payment of the
12 fees under this section and written permission allowing the Secretary to examine the
13 person's books for the purpose of verifying tonnage reports.

14 (2) No information concerning tonnage sales furnished to the Secretary under
15 this section shall be disclosed in such a way as to divulge the details of the business
16 operation to any person unless it is necessary for the enforcement of the provisions of
17 this chapter.

18 (3) A \$150.00 minimum tonnage fee shall be assessed on all distributors who
19 distribute **nonagricultural** fertilizers in this State.

20 (4) Agricultural limes, including agricultural lime mixed with wood ash, are
21 exempt from the tonnage fees required under this subsection.

22 (5) All fees collected under this subsection shall be deposited in the
23 Agricultural Water Quality Special Fund created under section 4803 of this title.

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1 **Budget Adjustment Act: Administration Initial Proposal**

2 Sec. XX. 6 V.S.A. § 366 (d) is added to read:

3 (d) A \$150.00 minimum tonnage fee shall be assessed on all distributors who
4 distribute agricultural fertilizers in this State.

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1 **Revised Proposal**

2 Sec. X. 6 V.S.A. § 366 is amended to read:

3 § 366. TONNAGE FEES

4 (a) There shall be paid annually to the Secretary for all fertilizers distributed to a
5 nonregistrant consumer in this State an annual fee at a rate of \$0.25 cents per ton. A
6 person distributing fertilizer to a nonregistrant consumer in the State annually shall
7 pay the following fees to the Secretary:

8 (1) a \$150.00 base fee;

9 (2) \$0.25 per ton of agricultural fertilizer distributed; and

10 (3) \$30.00 per ton of nonagricultural fertilizer distributed.

11 (b) Persons distributing fertilizer shall report annually by January 15 for the
12 previous year ending December 31 to the Secretary revealing the amounts of each
13 grade of fertilizer and the form in which the fertilizer was distributed within this State.
14 Each report shall be accompanied with payment and written permission allowing the
15 Secretary to examine the person's books for the purpose of verifying tonnage reports.

16 (c) No information concerning tonnage sales furnished to the Secretary under this
17 section shall be disclosed in such a way as to divulge the details of the business
18 operation to any person unless it is necessary for the enforcement of the provisions of
19 this chapter.

20 (d) [Repealed.]

21 (e) Agricultural limes, including agricultural lime mixed with wood ash, are
22 exempt from the tonnage fees required in this section.

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1 (f) Lime and wood ash mixtures may be registered as agricultural liming materials
2 and guaranteed for potassium or potash provided that the wood ash totals less than 50
3 percent of the mixture.

4 (g)(1) All fees collected under ~~subsection (a) subdivisions (a)(1) and (2) of this~~
5 ~~section shall be deposited in the revolving special fund created by subsection 364(e) of~~
6 ~~this title and used in accordance with its provisions.~~

7 (2) All fees collected under subdivision (a)(3) of this section shall be deposited
8 in the Agricultural Water Quality Special Fund created under section 4803 of this title.

9 ~~(h) There shall be paid annually to the Secretary for all nonagricultural fertilizers~~
10 ~~distributed to a nonregistrant consumer in this State an annual fee at a rate of \$30.00~~
11 ~~per ton of nonagricultural fertilizer for the purpose of supporting agricultural water~~
12 ~~quality programs in Vermont.~~

13 ~~(1) Persons distributing any fertilizer in the State shall report annually on or~~
14 ~~before January 15 for the previous year ending December 31 to the Secretary revealing~~
15 ~~the amounts of each grade of fertilizer and the form in which the fertilizer was~~
16 ~~distributed within this State. Each report shall be accompanied with payment of the~~
17 ~~fees under this section and written permission allowing the Secretary to examine the~~
18 ~~person's books for the purpose of verifying tonnage reports.~~

19 ~~(2) No information concerning tonnage sales furnished to the Secretary under~~
20 ~~this section shall be disclosed in such a way as to divulge the details of the business~~
21 ~~operation to any person unless it is necessary for the enforcement of the provisions of~~
22 ~~this chapter.~~

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1 ~~(3) A \$150.00 minimum tonnage fee shall be assessed on all distributors who~~
2 ~~distribute nonagricultural fertilizers in this State.~~

3 ~~(4) Agricultural limes, including agricultural lime mixed with wood ash, are~~
4 ~~exempt from the tonnage fees required under this subsection.~~

5 ~~(5) All fees collected under this subsection shall be deposited in the Agricultural~~
6 ~~Water Quality Special Fund created under section 4803 of this title. [Repealed.]~~

7 Sec. X. EFFECTIVE DATE

8 Sec. X (fertilizer tonnage fee) shall take effect retroactively on January 1, 2016.