

1 S.188

2 Introduced by Senator Campion

3 Referred to Committee on

4 Date:

5 Subject: Agriculture; water quality; fertilizer; fees

6 Statement of purpose of bill as introduced: This bill proposes to increase the  
7 fees on commercial feed and agricultural fertilizer distributed in the State. The  
8 revenue generated from the increased fees would be deposited in the Clean  
9 Water Fund for use for the purposes of that Fund.

10 An act relating to commercial feed and agricultural fertilizer

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 6 V.S.A. § 324 is amended to read:

13 § 324. REGISTRATION AND FEES

14 (a) No person shall manufacture a commercial feed in this State unless that  
15 person has first filed with the Vermont Agency of Agriculture, Food and  
16 Markets, in a form and manner to be prescribed by ~~rules~~ rule by the Secretary:

17 (1) the name of the manufacturer;

18 (2) the manufacturer's place of business;

19 (3) the location of each manufacturing facility; and

1           (4) any other information ~~which~~ that the Secretary considers to be  
2           necessary.

3           (b) A person shall not distribute in this State a commercial feed that has not  
4           been registered pursuant to the provisions of this chapter. Application shall be  
5           in a form and manner to be prescribed by rule of the Secretary. The  
6           application for registration of a commercial feed shall be accompanied by a  
7           registration fee of ~~\$105.00~~ \$200.00 per product. ~~The~~ Of the registration fees  
8           collected under this section, \$95.00 shall be deposited in the Clean Water Fund  
9           created by 10 V.S.A. § 1388, and \$105.00, along with any surcharges collected  
10          under subsection (c) of this section, shall be deposited in the special fund  
11          created by subsection 364(e) of this title. Funds deposited in ~~this account~~ the  
12          special fund created by subsection 364(e) of this title shall be restricted to  
13          implementing and administering the provisions of this title and any other  
14          provisions of the law relating to fertilizer, lime, or seeds. If the Secretary so  
15          requests, the application for registration shall be accompanied by a label or  
16          other printed matter describing the product.

17          (c) No person shall distribute in this State any feed required to be registered  
18          under this chapter upon which the Secretary has placed a withdrawal from  
19          distribution order because of nonregistration. A surcharge of \$10.00, in  
20          addition to the registration fee required by subsection (b) of this section, shall  
21          accompany the application for registration of each product upon which a

1 withdrawal from distribution order has been placed for reason of  
2 nonregistration; and must be received before removal of the withdrawal from  
3 distribution order.

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

5 § 366. TONNAGE FEES

6 (a) A person distributing fertilizer to a nonregistrant consumer in the State  
7 annually shall pay the following fees to the Secretary:

8 (1) a \$150.00 minimum tonnage fee;

9 (2) ~~\$0.50~~ \$30.00 per ton of agricultural fertilizer distributed; and

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

11 \* \* \*

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

15 (2) Of the fees collected under subdivision (a)(2) of this section:

16 (A) \$0.50 per ton shall be deposited in the special fund created by  
17 subsection 364(e) of this title and used in accordance with its provisions; and

18 (B) \$29.50 per ton shall be deposited in the Clean Water Fund  
19 created under 10 V.S.A. § 1388 and used in accordance with its provisions.

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

4           Sec. 3. EFFECTIVE DATE

5           This act shall take effect on passage.