

the Fund; requiring the Secretary to adopt certain regulations; defining a certain term; and generally relating to enforcement of certain animal health requirements.

BY adding to

Article - Agriculture

Section 3-116 and 3-117

Annotated Code of Maryland

(1999 Replacement Volume and 2004 Supplement)

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

Article - Agriculture

3-116.

(A) IN LIEU OF OR IN ADDITION TO ANY PENALTY PROVIDED BY THIS SUBTITLE, THE SECRETARY MAY IMPOSE A AN ADMINISTRATIVE PENALTY OF NOT MORE THAN \$10,000 ON ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE.

(B) THE PENALTY IMPOSED UNDER THIS SECTION MAY NOT EXCEED \$10,000.

(C) ALL PENALTIES COLLECTED BY THE SECRETARY UNDER THIS SECTION SHALL BE PAID INTO THE GENERAL FUND OF THE STATE DISTRIBUTED TO THE ANIMAL HEALTH FUND ESTABLISHED UNDER § 3-117 OF THIS SUBTITLE.

~~(C)~~ (D) THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

3-117.

(A) IN THIS SECTION, "FUND" MEANS THE ANIMAL HEALTH FUND.

(B) THERE IS AN ANIMAL HEALTH FUND.

(C) THE PURPOSE OF THE FUND IS TO DEFRAY THE DEPARTMENT'S COST OF ISSUING ORDERS OR CONDUCTING SITE VISITS AND ANIMAL TESTING TO PREVENT THE SPREAD OF CONTAGIOUS OR INFECTIOUS DISEASES.

(D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) ADMINISTRATIVE PENALTIES DISTRIBUTED TO THE FUND UNDER § 3-116(C) OF THIS SUBTITLE;