

each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. At the end of June 30, 1993, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved May 14, 1991.

CHAPTER 402

(House Bill 784)

AN ACT concerning

Department of Agriculture – Plant Disease Control

FOR the purpose of authorizing the Department of Agriculture to alter certain fees and to adopt reasonable fees, not to exceed a certain amount, governing the inspection of certain plants for disease control.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 5-302(b) and 5-309

Annotated Code of Maryland

(1985 Replacement Volume and 1990 Supplement)

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

Article – Agriculture

5-302.

(b) The Secretary shall adopt rules and regulations governing the certification of nurseries and the licensing of dealers and brokers, develop a system for establishing plant standards, including pest free stock, [and] develop a program for preventing the sale or distribution of plants that may be infested or infected with dangerously injurious pests, **AND ESTABLISH REASONABLE FEES, NOT TO EXCEED \$25, FOR SERVICES PROVIDED UNDER THIS SUBTITLE.**

5-309.

(a) At least once each year the Secretary shall inspect each nursery in the State to determine if the nursery stock is infested or infected with dangerously injurious plant pests. Each nursery shall pay the Secretary an inspection fee based upon the number of acres in production: 1 acre or less, [\$5] \$10; more than 1 acre to 5 acres, [\$10] \$20; more than 5 acres to 10 acres, [\$20] \$30; more than 10 acres, [\$2] \$3 for each acre, or part of any acre, up to a maximum of \$1,000. All fees collected shall be placed in the Plant Protection Fund and used to defray partially the cost of inspecting the nurseries.