



SPONSOR: Sen. Ennis

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1
TO
SENATE BILL NO. 96

AMEND Senate Bill No. 96 on line 34 by inserting the following after the word "substances":

"including any plant biostimulant."

FURTHER AMEND Senate Bill No. 96 by deleting lines 133 through 143 in their entirety and inserting in lieu thereof the following:

"(a) There shall be paid to the Department for all commercial fertilizers or soil conditioners distributed in this State to non-registrants an inspection fee at the rate of:

(1) Not less than 15 cents per ton effective January 1, 2022;

(2) Not less than 20 cents per ton effective January 1, 2023;

(3) Not less than 25 cents per ton effective January 1, 2024;

provided that sales to manufacturers or exchanges between them are hereby exempted. Fees so collected shall be paid to the Department, which shall deposit the same in ~~the General Fund~~ an appropriated special fund account in the Department.

On individual packages of commercial fertilizer or soil conditioners containing 10 pounds or less, there shall be ~~paid paid,~~ in lieu of the annual registration fee of ~~\$1 per brand and grade~~ \$1.15 per each grade of each brand and the ~~10 cents per ton~~ inspection fee, an annual registration fee and inspection fee of ~~\$25~~ \$40 for each ~~brand and grade~~ grade of each brand of fertilizer and soil conditioners sold or distributed. Where a person sells commercial fertilizer or soil conditioners in packages of 10 pounds or less and in packages over 10 pounds, this annual registration and inspection fee of ~~\$25~~ \$40 shall apply only to that portion sold in packages of 10 pounds or less, and that portion sold in packages over 10 pounds shall be subject to the same inspection fee ~~of 10 cents per ton~~ as provided in this chapter.

FURTHER AMEND Senate Bill No. 96 by inserting the following after line 232:

22 “The Department of Agriculture may adopt any policies and regulations necessary to permit the registration and
23 distribution of plant biostimulants when the use, registration, or distribution of plant biostimulants is permitted by the
24 Association of American Plant Food Control Officials.”

SYNOPSIS

This amendment would gradually increase the rate of the inspection fee in Section 2106 of Title 3 over a period of three years, instead of having the entire increase become effective immediately. In addition, the amendment authorizes the Department of Agriculture to adopt policies and regulations regarding the registration and distribution of plant biostimulants, when their use, registration, or distribution is permitted by the Association of American Plant Food Control Officials.

Author: Senator Ennis