

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1637

H. P. 1261

House of Representatives, March 26, 1973

Referred to the Committee on Natural Resources. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Rolde of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Impose a Disposal Fee on New Car Sales.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 36, § 1811-B, additional. Title 36 of the Revised Statutes is amended by adding a new section 1811-B, to read as follows:

§ 1811-B. Disposal fee

In addition to the tax imposed on the first retail sale of any passenger automobile pursuant to section 1811, there shall also be imposed in respect of that sale an additional \$1, to be collected in the manner provided for taxes imposed by this chapter.

For purposes of this section the term, "first retail sale" shall mean the first sale of the passenger automobile in question at retail for a purpose other than resale, and said term shall not be construed to refer to the retail sale of an automobile which has been previously the subject of a retail sale for a purpose other than resale regardless of where said previous sale may have taken place.

Sec. 2. R. S., T. 36, § 1863, additional. Title 36 of the Revised Statutes is amended by adding a new section 1863, to read as follows:

§ 1863. Disposal fee

Wherever the Tax Assessor determines, pursuant to sections 1861 and 1862, that a tax is owing in respect of the use or storage in this state of a passenger automobile for which the fee required by section 1811-B has not been paid, there shall, in addition to any other taxes imposed by this chapter,

be imposed a fee of \$1 to be collected in the manner provided for taxes imposed by this chapter.

Sec. 3. R. S., T. 38, c. 15, additional. Title 38 of the Revised Statutes is amended by adding a new chapter to read as follows:

CHAPTER 15

MOTOR VEHICLE DISPOSAL FUND

§ 1501. Findings and purpose

The spreading blight of unserviceable, discarded, worn-out and junked motor vehicles in Maine has reached such proportions that an effective program to study the scope of this problem and to devise and implement necessary corrective action now appears essential. In order, therefore, to protect the health, safety and welfare of the citizens of Maine, and to prevent and abate the creation of nuisances, and to protect and conserve the natural resources of Maine, the Legislature declares that it is the policy of this State to provide for an effective system for the collection, transportation and recycling of unserviceable, discarded, worn-out and junked motor vehicles, and to further provide that the financial burden of this effort be imposed on the motor vehicle purchasing public in this State.

§ 1502. Preliminary study and pilot projects

The Board of Environmental Protection is authorized to expend any portion of the moneys accumulated in the fund created by section 1503 as may be necessary to:

1. Study possible methods for the collection, transportation, storage, recycling or disposal of unserviceable, discarded, worn-out and junked motor vehicles, or
2. Conduct any pilot, experimental or demonstration project to illustrate or test the viability of a particular program for achieving the purposes of this chapter.

§ 1503. Motor vehicle disposal fund

To accomplish the purposes of this chapter there is established a Motor Vehicle Disposal Fund.

An amount equal to the receipts from the special fees imposed under Title 36, sections 1811-B and 1863, and credited to the General Fund shall be transferred by the Treasurer of State to the Motor Vehicle Disposal Fund on the first day of each month beginning with January 1, 1974.

Moneys credited to the Motor Vehicle Disposal Funds shall be available for expenditure by the Board of Environmental Protection for the purposes enumerated in section 1502 without limitation as to fiscal year.

Sec. 4. Report to the next regular session of the Legislature. The Board of Environmental Protection shall report to the next general session of the Legislature the results and conclusions of studies and projects undertaken

pursuant to this Act and shall also recommend all legislation which the board might find, after appropriate preliminary planning, to be necessary to effectuate the purposes of this chapter. The board shall at the same time also account for all funds expended from the Motor Vehicle Disposal Fund and make any recommendations for change in the amount of fees charged pursuant to sections 1 and 2 of this Act as may be necessary to properly finance efforts to accomplish the purposes of this chapter.

Sec. 5. Effective Date. Sections 1 and 2 of this Act shall become effective on January 1, 1974.

STATEMENT OF FACT

The purpose of this legislation is to create a fee to be levied with sales and use taxes on new passenger car sales, and to make the revenues thus derived available for expenditure by the Board of Environmental Protection to study various alternatives for the disposal of junk automobiles in the more sparsely populated and geographically remote areas of this State. Provision has been made to require the Board to recommend to the 107th Legislature such additional legislation as the Board may find necessary to provide an effective system for the disposal of junk cars in the state, to be financed in the same manner as herein provided.