

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 248, L.D. 339, Bill, "An Act to Establish the State of Maine Credit Card"

Amend the bill by striking everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 5 MRSA c.17 is enacted to read:

CHAPTER 17

STATE ENVIRONMENTAL CREDIT CARD AND
NATURAL RESOURCES PROTECTION FUND

§361. State environmental credit card program

1. Authorized participation. The State through the Department of Finance is authorized to participate in a credit card program with a financial institution for the benefit of the State's natural resources and environment.

2. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Credit card" means a credit device by which a cardholder obtains loans or otherwise obtains credit from a card issuer or other persons authorized to extend such credit by the card issuer or the card issuer's agent.

B. "Financial institution" means a financial institution or credit union organized in accordance with Title 9-B, section 131, subsections 12 and 17.

3. Program requirements. Within 180 days of the effective date of this chapter, the Commissioner of Finance shall issue a request for proposals for a state environmental credit card

2 program that must list the requirements that financial
3 institutions must meet, including compliance with all state and
4 federal credit laws.

6 §362. Natural Resources Protection Fund

8 1. Establishment. The Natural Resources Protection Fund is
9 established as a nonlapsing fund used to protect or acquire
10 critical wildlife habitats, acquire public lands, protect
11 threatened or endangered species, restore and protect lakes,
12 wetlands and the marine environment and provide public education
13 and information about the environment. All revenues generated by
14 the credit card program established under section 361 must be
15 deposited in the fund.

16 2. Fund management committee. The fund is administered by
17 a fund management committee composed of the Commissioner of
18 Finance, the Commissioner of Conservation, the Commissioner of
19 Environmental Protection, the Commissioner of Inland Fisheries
20 and Wildlife and the Commissioner of Marine Resources or the
21 commissioners' designees. The committee shall elect a chair and
22 shall issue an annual report of the fund. The Commissioner of
23 Finance shall provide for the day-to-day management of the fund,
24 including any audits that may be warranted. The fund management
25 committee is authorized to receive for credit to the fund grants,
26 gifts and bequests along with such appropriations and allocations
27 as may be provided by the Legislature.

28 3. Natural Resources Protection Fund Advisory Committee.
29 The Natural Resources Protection Fund Advisory Committee,
30 referred to in this chapter as the "advisory committee," shall
31 make recommendations to the fund management committee on
32 priorities and uses of the fund. The advisory committee is
33 composed of 3 members chosen by the Speaker of the House of
34 Representatives, 2 members chosen by the President of the Senate
35 and 5 members chosen by the Governor. The advisory committee
36 members shall elect a chair and shall meet at least twice yearly
37 to review the fund's performance and develop recommendations on
38 expenditures. Members are entitled to reimbursement for
39 necessary and reasonable expenditures for their attendance at
40 committee meetings.

41 4. Expenditure of funds. Money in the fund may only be
42 expended in accordance with allocations approved by the
43 Legislature. Money in the fund not currently needed to meet the
44 obligations of natural resource programs must be deposited with
45 the Treasurer of State to the credit of the fund and may be
46 invested as provided by law. Interest on these investments must
47 be credited to the fund.

2 Allocations of \$3,000 in fiscal year 1991-92 and \$125,000 in
4 fiscal year 1992-93 are included. However, no funds may be
6 expended unless there are sufficient dedicated revenues generated
8 by the program. The amount of these revenues, which depend on
the volume of sponsored credit card sales and the negotiated fee
or commission to be paid to the State, can not be determined at
this time.'

10
12 **STATEMENT OF FACT**

14 This amendment requires the Commissioner of Finance to issue
16 a request for proposals for the state environmental credit card
18 within 180 days of the effective date of the legislation. It
restricts the list of institutions that will be eligible to bid
on the credit card program to financial institutions and credit
unions organized under Maine law. This will restrict the credit
card terms to Maine law a maximum \$12 annual fee and 18% per
annum interest.

22 This amendment dedicates all income from the environmental
24 credit card to the Natural Resources Protection Fund, a
26 nonlapsing fund used to protect or acquire critical wildlife
habitats, acquire public lands, protect threatened or endangered
species, restore and protect lakes, wetlands and the marine
28 environment and provide public education and information about
the environment. A fund management committee administers the
30 fund and may accept gifts, grants, bequests, appropriations and
allocations. An advisory committee reviews the activities of the
32 fund and makes recommendations to the fund management committee.

34 An allocation is provided to allow the fund to spend money
36 in the first 2 years. This money comes from income to the fund
from the credit card program and does not require or utilize any
appropriation.

38 The amendment adds a fiscal note which shows that the credit
40 card program will not require an appropriation. All costs will
be paid from the fund income itself. The allocation is to allow
42 fund money to be spent.