

MAINE STATE LEGISLATURE

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R.O.F.S.

L.D. 693

(Filing No. S-274)

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STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 222, L.D. 693, Bill, "An Act to Establish the Maine Environmental Trust Fund Commemorative Motor Vehicle Plate"

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

Sec. 1. 12 MRSA §610 is enacted to read:

§ 610. Maine State Parks Capital Improvements Fund

The Maine State Parks Capital Improvements Fund is established within the bureau. The fund receives money from the Maine Environmental Trust Fund in accordance with section 7759, subsection 3. The bureau shall use this money for major and minor capital improvements at existing state parks and historic sites.

The fund is nonlapsing. All funds of the Maine State Parks Capital Improvements Fund are subject to allocation by the Legislature.

Sec. 2. 12 MRSA §7757, sub-§1, as enacted by PL 1983, c. 526, §2, is amended to read:

1. Establishment. There is established the Maine Endangered and Nongame Wildlife Fund. ~~It shall receive~~ The fund receives money deposited by the Treasurer of State pursuant to section 7759 and Title 36, section 5284. All money deposited in the fund, and the earnings thereon, ~~shall remain on that money remain~~ in the fund to be used for the management of nongame wildlife and for necessary administrative and personnel costs associated therewith, with the management of nongame wildlife and shall may not be deposited in the General Fund or any other fund, except as specifically provided by statute law.

COMMITTEE AMENDMENT

Sec. 3. 12 MRSA §7759 is enacted to read:

§7759. Maine Environmental Trust Fund

1. Fund established. The Maine Environmental Trust Fund, referred to in this section as the "fund," is established as a nonlapsing fund administered by the commissioner for the purposes of enhancing environmental protection at the local level by awarding grants for the protection of habitat and open space, improving state parks and historic sites by supporting the Maine State Parks Capital Improvements Fund, conserving rare plants and natural communities by supporting the Natural Areas Conservation Fund and managing nongame wildlife by supporting the Maine Endangered and Nongame Wildlife Fund. Money deposited with the Treasurer of State to the credit of the fund may be invested as provided by law. Income from these investments must be credited to the fund.

2. Fund sources. The fund receives money deposited by the Treasurer of State pursuant to Title 29, section 252-J and any other gift grant or other source of revenue deposited for that use.

3. Distribution from fund. After the Treasurer of State has reimbursed the Secretary of State for costs of producing and issuing environmental registration plates in accordance with Title 29, section 252-J, the Treasurer of State shall annually distribute the balance in the fund as follows:

A. Ten percent of the balance must be deposited in the Maine State Parks Capital Improvements Fund established in section 610;

B. Twenty-six percent of the balance must be deposited in the Maine Endangered and Nongame Wildlife Fund established in section 7757;

C. Fourteen percent of the balance must be deposited in the Natural Areas Conservation Fund established in Title 5, section 13079; and

D. Fifty percent of the balance must be awarded as grants to nonprofit organizations and municipalities in accordance with subsection 4.

4. Grants to nonprofit organizations and municipalities. The commissioner shall award grants to nonprofit organizations and municipalities for the permanent conservation of locally and regionally significant land, including the purchase and stewardship of land having value as habitat and as open space and the purchase, monitoring and enforcement of easements on land

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2 having value as habitat and as open space. Land purchased with
3 funds from this program must be protected in perpetuity.

4 Grant funds may be used as a local match for federal grants
5 available under the federal Intermodal Surface Transportation
6 Efficiency Act of 1991 (ISTEA), the National Recreational Trails
7 Fund and other federal programs for land acquisition consistent
8 with the purpose of the Maine Environmental Trust Fund and with
9 criteria consistent with the criteria established in this
10 subsection.

12 The commissioner shall determine the grant procedure and final
13 award criteria, but only applications for grants that meet one or
14 more of the following criteria may be considered.

16 A. The land comprises habitat for rare, endangered or
17 threatened species of animals, fish or plants or of a
18 locally or regionally important example of a terrestrial or
19 aquatic community.

20 B. The proposed use of habitat or open space is consistent
21 with scenic preservation, wildlife preservation, historic
22 preservation, game management or recreation.

23 C. The proposed use provides an opportunity for regular and
24 substantial use of the land by the general public for
25 recreational or educational use.

26 D. The land is important to the preservation of a local or
27 regional landscape or natural resource that attracts tourism
28 or commerce.

29 E. Permanent protection will contribute to conservation of
30 traditional and sustainable economic uses of natural
31 resources, such as agriculture and forestry.

32 F. Preservation of the land as undeveloped open space may
33 provide economic benefit to the municipality by limiting
34 municipal expenditures required to service development.

35 G. The land is included in an area designated as open space
36 land or resource protection land on a comprehensive plan or
37 in a zoning ordinance or on a zoning map as finally adopted.

38 5. Budget. The commissioner shall submit a budget for each
39 biennium pursuant to Title 5, sections 1663 and 1666.

40 Sec. 4. 29 MRSA §252-J is enacted to read:

41 §252-J Environmental registration plates

42 The Secretary of State shall issue Maine Environmental Trust
43 plates to the owner of any land that is registered as an
44 environmental registration plate.

2 Fund registration plates beginning April 1, 1994 in accordance
3 with this section. Environmental registration plates are not
4 required for registration of a motor vehicle but are to allow
5 citizens to participate voluntarily in the Maine Environmental
6 Trust Fund program. A citizen may apply for environmental
7 registration plates and contribute to the Maine Environmental
8 Trust Fund as provided in this section.

9
10 1. Issuance of environmental registration plates. The
11 Secretary of State, upon receiving an application and evidence of
12 payment of the excise tax required by Title 36, the registration
13 fee required by this Title and the contribution to the Maine
14 Environmental Trust Fund provided for in subsection 4, shall
15 issue a registration certificate and a set of environmental
16 registration plates to be used in lieu of regular registration
17 plates. The Secretary of State may issue environmental
18 registration plates to a vehicle in any registration class if the
19 designated registration plate for that class does not preclude
20 its use in conjunction with the environmental registration plate
21 design.

22 2. Plate design; optional environmental vanity plates. The
23 Secretary of State, the Commissioner of Environmental Protection
24 and the Commissioner of Inland Fisheries and Wildlife in
25 consultation with the joint standing committee of the Legislature
26 having jurisdiction over transportation matters shall determine
27 the plate design.

28
29 The design must accommodate the use of numbers and letters as
30 provided in section 192. Upon request and as provided by section
31 192, the Secretary of State shall issue environmental plates that
32 are also vanity plates. Environmental vanity plates are issued
33 in accordance with this section and section 192. The annual
34 service fee of \$15 for vanity plates is credited to the Highway
35 Fund.

36
37 3. Temporary facsimile plate. The Secretary of State may
38 issue a facsimile plate for temporary use up to a 60-day period
39 until the permanent plate is received. The facsimile plate must
40 be attached to the rear plate bracket.

41
42 4. Contribution to the Maine Environmental Trust Fund. In
43 addition to the regular motor vehicle registration fee prescribed
44 by law for the particular class of vehicle registered, the annual
45 contribution for environmental registration plates is \$20 which
46 must be deposited with the Treasurer of State and credited to the
47 Maine Environmental Trust Fund established in section 7759.

48
49 5. Reimbursement for production and issuance costs. The
50 Treasurer of State shall transfer annually from the Maine
51 Environmental Trust Fund to the Secretary of State \$5 for each
52 set of environmental plates issued or renewed after March 31,

1996. This transfer is to reimburse the Secretary of State for costs associated with production and issuance of the plates.

6. Reimbursement for production and issuance costs; first 2 years of program. The Treasurer of State shall transfer annually from the Maine Environmental Trust Fund to the Secretary of State \$10 for each set of environmental registration plates issued or renewed during the period April 1, 1994 to March 31, 1996. This transfer is to reimburse the Secretary of State for costs associated with production and issuance of the plates.

Sec. 5. Report. The Secretary of State shall submit a report to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 1996 on the issuance of environmental registration plates during the period April 1, 1994 to December 31, 1995. The report must include the number of applications received for environmental plates, the number of plates issued, the number of environmental vanity plates issued, the production and administrative costs of the program and an accounting of revenues generated for the Highway Fund and the Maine Environmental Trust Fund. The report may include recommendations to the committee on ways to improve the program's operation, to maximize revenues from the program and any steps needed to ensure that all reasonable production and administration costs incurred by the Division of Motor Vehicles are reimbursed.

Sec. 6. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	1993-94	1994-95
SECRETARY OF STATE, DEPARTMENT OF		
Administration-Motor Vehicles		
Positions	(1.0)	(1.0)
Personal Services	\$17,691	\$24,582
All Other	317,597	80,103
Capital Expenditures	22,500	
Provides funds for a Clerk Typist II position and general operating expenses to manufacture and issue the Maine Environmental Trust Fund license plate.		
DEPARTMENT OF THE SECRETARY		
OF STATE		
TOTAL	\$357,788	\$104,685

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2 **Sec. 7. Allocation.** The following funds are allocated from the
 4 Maine Environmental Trust Fund to carry out the purposes of this
 6 Act.

	1993-94	1994-95
CONSERVATION, DEPARTMENT OF		
Maine State Parks Capital Improvement Program		
14	Capital Expenditures	\$54,000
16	Provides funds for major and	\$67,500
18	minor capital improvements at	
20	existing state parks and	
	historic sites.	
22	DEPARTMENT OF CONSERVATION TOTAL	\$54,000
24		\$67,500
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		
Maine Endangered and Nongame Wildlife Program		
32	Positions	(1)
34	Personal Services	\$44,967
36	All Other	130,533
38	TOTAL	\$140,400
40	Provides funds for one	\$175,500
42	Biologist I position and	
44	general operating expenses	
46	associated with the	
48	management of endangered and	
50	nongame wildlife.	
52	Conservation Grants	
	All Other	\$270,000
	Provides funds for grant	\$337,500
	awards to nonprofit	

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2 organizations and
 4 municipalities for the
 6 purchase of land and
 8 easements for valuable
 10 habitats and open space.

12 **DEPARTMENT OF INLAND FISHERIES**
 14 **AND WILDLIFE**
 16 **TOTAL**

\$410,400\$513,000

18 **ECONOMIC AND COMMUNITY DEVELOPMENT,**
 20 **DEPARTMENT OF**

22 **Natural Areas Conservation Program**

24 All Other

\$75,600

\$94,500

26 Provides funds to conserve
 28 rare plants and natural
 30 communities.

32 **DEPARTMENT OF ECONOMIC AND**
 34 **COMMUNITY DEVELOPMENT**
 36 **TOTAL**

\$75,600\$94,500

38 **FISCAL NOTE**

1993-94

1994-95

40 **APPROPRIATIONS/ALLOCATIONS**

42 Highway Fund
 44 Other Funds

\$357,788
540,000\$104,685
675,000

46 **REVENUES**

48 Highway Fund
 50 Other Funds

\$540,000
540,000\$675,000
675,000

This bill establishes a Maine Environmental Trust Fund license plate program to raise money for the protection of habitat and open space and to support the Highway Fund and other dedicated revenue programs.

COMMITTEE AMENDMENT

2 The Secretary of State, Division of Motor Vehicles, will
3 require additional Highway Fund allocations of \$357,788 and
4 \$104,685 in fiscal years 1993-94 and 1994-95, respectively, to
5 manufacture and issue approximately 54,000 pairs of environmental
6 plates for fiscal year 1993-94 and 13,500 for fiscal year
7 1994-95. These Highway Fund costs will be reimbursed by
8 transfers to the Highway Fund from the Maine Environmental Trust
9 Fund in the amount of \$10 per set of plates during the first 2
10 years of the program, and \$5 per set during the succeeding
11 years. The remaining environmental license contribution is
12 retained by the Maine Environmental Trust Fund and allocated to
13 specific programs. This plate program will increase net revenues
14 to the Highway Fund and increase dedicated revenues to the Maine
15 Environmental Trust Fund. The estimated increases of Highway
16 Fund revenues are \$540,000 and \$675,000 in fiscal years 1993-94
17 and 1994-95, respectively. The estimated increases of dedicated
18 revenues to the Maine Environmental Trust Fund are \$540,000 and
19 \$675,000 in fiscal years 1993-94 and 1994-95, respectively.

20 The Department of Inland Fisheries and Wildlife will incur
21 some minor additional costs to administer the new Maine
22 Environmental Trust Fund and dedicated programs. These costs can
23 be absorbed within the department's existing budgeted resources.
24

26 STATEMENT OF FACT

28 This amendment is the minority report. It replaces the
29 original bill. This bill establishes the Maine Environmental
30 Trust Fund registration plate program. The program will provide
31 funds to:

32 1. The Maine Environmental Trust Fund established by this
33 bill. This fund will award grants to nonprofit land conservation
34 organizations, including land trust and local governments, for
35 purchase of land and easements for valuable habitats and open
36 space;

38 2. The Maine Endangered and Nongame Wildlife Fund to
39 protect and maintain endangered and nongame wildlife. Current
40 funding for this program comes from the "chickadee checkoff"
41 found on income tax forms;

44 3. The Natural Areas Conservation Fund for conservation of
45 rare plants and natural communities; and

46 4. The Maine State Parks Capital Improvements Fund
47 established in this bill to fund improvements at existing state
48 parks and historic sites.
50

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2 Funds for the Maine Environmental Trust Fund registration
3 plate program come from a contribution of \$20 for a set of
4 special environmental registration license plates. This annual
5 contribution is paid in addition to the annual registration fee.
6 The plate design will be different from the lobster registration
7 plate and will have an image representing the importance of the
8 State's natural resources. The Secretary of State will be
9 reimbursed annually for costs incurred in producing, issuing and
10 renewing the special plate, in the amount of \$10 per set of
plates during the first 2 years of the program and \$5 per set
during the succeeding years.

Reported by the Minority for the Committee on Transportation.
Reproduced and Distributed Pursuant to Senate Rule 12.
(6/3/93) (Filing No. S-274)

COMMITTEE AMENDMENT