

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 693

S.P. 222

In Senate, February 25, 1993

**An Act to Establish the Maine Environmental Trust Fund
Commemorative Motor Vehicle Plate.**

Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.
Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PEARSON of Penobscot.
Cosponsored by Senator: SUMMERS of Cumberland, Representatives: AULT of Wayne,
MARSH of West Gardiner.

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

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

6 1. **Establishment.** There is established the Maine
8 Endangered and Nongame Wildlife Fund. ~~It shall receive~~ The fund
10 receives money deposited by the Treasurer of State pursuant to
12 Title 36, section 5284 and Title 38, section 359. All money
14 deposited in the fund, and the earnings ~~thereon~~ on that money,
16 ~~shall remain~~ remains 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.

18 Sec. 2. 29 MRSA §252-J is enacted to read:

20 §252-J. Maine Environmental Trust Fund plates

22 The Secretary of State shall issue Maine Environmental Trust
24 Fund commemorative registration plates to enhance the State's
26 environment and public awareness of the State's valuable natural
28 resources. These commemorative plates are not required for
registration of any motor vehicle but are solely for purposes of
allowing citizens who wish to voluntarily participate in this
program to make contributions to the Maine Environmental Trust
Fund as provided in this section.

30 1. **Plate design.** The Secretary of State, the Commissioner
32 of Environmental Protection and the Commissioner of Inland
34 Fisheries and Wildlife shall determine jointly the plate design.
36 These plates must bear letters or letters and numbers not
exceeding 7 characters. There may be no duplication of
identification, except that the Secretary of State may issue
duplicate plates for camp trailers if the registrant has already
been issued an identical plate for a passenger vehicle.

38 2. **Plate use.** Plates may be used on passenger motor
40 vehicles, including, but not limited to, station wagons,
42 taxicabs, limousines, pick-up trucks, motorcycles, motor homes
and camp trailers. These plates may be used in lieu of other
numeric-type registration plates.

44 3. **Plate fee.** The plates must be issued upon application
46 and payment of an annual voluntary contribution to the Maine
48 Environmental Trust Fund of \$25. The contribution must be in
addition to the regular motor vehicle registration fee as
prescribed by law for the particular vehicle. The fee must be
50 deposited with the Treasurer of State to the credit of the Maine

2 Environmental Trust Fund established under Title 38, section
3 359. The Maine Environmental Trust Fund shall reimburse the
4 Secretary of State annually for the cost of producing and issuing
5 the plates.

6 4. Temporary facsimile plate. The Secretary of State may
7 issue a facsimile plate for temporary use up to a 15-day period
8 until the permanent plate is received. The facsimile plate must
9 be attached to the rear plate bracket.

10 Sec. 3. 38 MRSA c. 2, sub-c. V is enacted to read:

12 SUBCHAPTER V

14 MAINE ENVIRONMENTAL TRUST FUND

16 §359. Maine Environmental Trust Fund

18 1. Fund established. The Maine Environmental Trust Fund,
20 referred to in this subchapter as the "fund," is established as a
21 nonlapsing fund administered by the commissioner for the purpose
22 of enhancing environmental protection at the local level by
23 awarding grants for the protection of habitat and open space and
24 for supporting the Maine Endangered and Nongame Wildlife Fund
25 established under Title 12, section 7757. The money deposited
26 with the Treasurer of State to the credit of the fund may be
27 invested as provided by law. Income from these investments must
28 be credited to the fund.

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

34 3. Purposes. Money in the fund must be used to:

36 A. Reimburse the Secretary of State annually for costs in
37 producing and issuing plates pursuant to Title 29, section
38 252-J;

40 B. Support the Maine Endangered and Nongame Wildlife Fund.
41 After reimbursement under paragraph A, 40% of the remaining
42 revenue in the fund must be transferred to the Maine
43 Endangered and Nongame Wildlife Fund; and

44 C. Award grants to nonprofit organizations and
45 municipalities for the permanent conservation of locally and
46 regionally significant land, including the purchase and
47 stewardship of land having value as habitat and as open
48 space and the purchase, monitoring and enforcement of
49 space and the purchase, monitoring and enforcement of
50 space and the purchase, monitoring and enforcement of

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

5 The commissioner shall determine the grant procedure and
6 award criteria, but only applications for grants that meet
7 one or more of the following factors may be considered:

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10 (1) The land comprises habitat for rare, endangered or
11 threatened species of animals, fish or plants, or of a
12 locally or regionally important example of a
13 terrestrial or aquatic community;

14 (2) The proposed use of habitat or open space is
15 consistent with scenic preservation, wildlife
16 preservation, historic preservation, game management or
17 recreation;

18 (3) The proposed use provides an opportunity for
19 regular and substantial use of the land by the general
20 public for recreational or educational use;

21 (4) The land is important to the preservation of a
22 local or regional landscape or natural resource that
23 attracts tourism or commerce;

24 (5) Permanent protection will contribute to
25 conservation of traditional and sustainable economic
26 uses of natural resources, such as agriculture and
27 forestry;

28 (6) Preservation of the land as undeveloped open space
29 may provide economic benefit to the town by limiting
30 municipal expenditures required to service development;
31 and

32 (7) The land is included in an area designated as open
33 space land or resource protection land on a
34 comprehensive plan or in a zoning ordinance or on a
35 zoning map as finally adopted.

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

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45 Sec. 4. Allocation. The following funds are allocated from the
46 Maine Environmental Trust Fund to carry out the purposes of this
47 Act.

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**ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Maine Environmental Trust Fund**

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All Other \$250,000

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Provides for reimbursement to the Secretary of State for costs incurred in producing and issuing plates, grants to the Maine Endangered and Nongame Wildlife Fund, grants to nonprofit organizations and funds to market the environmental commemorative plate program.

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STATEMENT OF FACT

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This bill establishes the Maine Environmental Trust Fund commemorative license plate program. The program will provide funds to:

1. The Maine Environmental Trust Fund established by this bill. This fund will award grants to local nonprofit organizations, including land trusts and local governments, for purchase of land and easements for valuable habitat and open space; and

2. The Maine Endangered and Nongame Wildlife Fund established by the Maine Revised Statutes, Title 12, section 7757 to protect and maintain endangered and nongame wildlife. Current funding for this program comes from the "Chickadee Check-off" found on income tax forms. Funds received from the check-off are not sufficient for the goals of the program.

Funds for the Maine Environmental Trust Fund commemorative license plate program come from a voluntary contribution of \$25 for a special environmental commemorative license plate. This contribution is paid in addition to the annual registration fee. The plate design will be different from the lobster plate and will have an image representing the importance of the State's natural resources. The Secretary of State will be reimbursed for costs incurred in producing and issuing the special plate.