

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Handwritten initials or mark in the top left corner.

DATE: 4/30/01

(Filing No. H-225)

NATURAL RESOURCES

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE HOUSE OF REPRESENTATIVES 120TH LEGISLATURE FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 200, L.D. 230, Bill, "An Act to Amend the Laws Regarding the Fee Paid When Purchasing a New Tire or Battery"

Amend the bill by striking out the title and substituting the following:

'Resolve, to Provide for the Transfer of Funds to the Tire Management Fund and Require a Plan to Permanently Dedicate Fees Paid When Purchasing a New Tire or Battery to Tire Stockpile Abatement, Remediation and Cleanup'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

'Sec. 1. Transfer of Maine Solid Waste Management Fund money to Tire Management Fund. Resolved: That, in fiscal year 2001-02, the State Controller shall transfer \$570,000 from the Maine Solid Waste Management Fund, established in the Maine Revised Statutes, Title 38, section 2201, to the Tire Management Fund, established in Title 38, section 1316-F. Following the end of fiscal year 2001-02, the State Controller shall transfer 50% of the surplus in the Maine Solid Waste Management Fund to the Tire Management Fund. For the purposes of this section, the term "surplus" means any positive difference between the net revenues deposited into the Maine Solid Waste Management Fund and the net transfers out of that fund in the same fiscal year; and be it further

COMMITTEE AMENDMENT

RWS

COMMITTEE AMENDMENT "A" to H.P. 200, L.D. 230

2 **Sec. 2. Implementation plan. Resolved:** That the Commissioner
of Environmental Protection and the Director of the State
4 Planning Office within the Executive Department jointly shall
prepare an implementation plan to accomplish the legislative goal
of permanently dedicating, prior to the end of fiscal year
6 2004-05, all revenues collected from the fee imposed on the
retail sale of tires and batteries to the Tire Management Fund
8 established in the Maine Revised Statutes, Title 38, section
1316-F for tire stockpile abatement, remediation and cleanup.
10 Accordingly, that plan must recommend a process, a timetable and
a budget that includes moving all positions in those agencies
12 that are currently funded by those fees to the General Fund, or
another recommended funding source, and for concurrently
14 directing those fees to the Tire Management Fund. That
implementation plan, timetable and budget must be developed and
16 submitted to the joint standing committee of the Legislature
having jurisdiction over natural resources matters not later than
18 January 1, 2003; and be it further

20 **Sec. 3. Authority to report out bill. Resolved:** That the joint
standing committee having jurisdiction over natural resources
22 matters may report out a bill to the First Regular Session of the
121st Legislature pertaining to the use of revenues collected
24 from the fee imposed on the retail sale of tires and batteries;
and be it further

26 **Sec. 4. Allocation.** The following funds are allocated from
28 Other Special Revenue funds to carry out the purposes of this
resolve.

30

2001-02

32

**ENVIRONMENTAL PROTECTION,
34 DEPARTMENT OF**

36

Remediation and Waste Management

38

All Other

\$570,000

40

Allocates additional funds to the Tire
Management Fund.'

42

44 Further amend the bill by inserting at the end before the
summary the following:

46

R. & S.

FISCAL NOTE

2

2001-02

4

APPROPRIATIONS/ALLOCATIONS

6

Other Funds \$570,000

8

This resolve authorizes the transfer of \$570,000 in fiscal year 2001-02 from the Maine Solid Waste Management Fund within the Department of Administrative and Financial Services to the Tire Management Fund within the Department of Environmental Protection. Beginning in fiscal year 2002-03, the resolve also authorizes the transfer of 50% of the surplus in the Maine Solid Waste Management Fund at the end of each fiscal year to the Tire Management Fund; the amounts can not be determined at this time.

This resolve includes an Other Special Revenue funds allocation of \$570,000 in fiscal year 2001-02 for the Department of Environmental Protection to allow increased spending from the Tire Management Fund. Beginning in fiscal year 2002-03, the fund will need additional Other Special Revenue allocations to reflect the increased revenues transferred from the Maine Solid Waste Management Fund; the amounts will depend on the amount of funds transferred and can not be determined at this time.

The State Planning Office within the Executive Department and the Department of Environmental Protection will incur some minor additional costs to submit a required implementation plan to the Legislature. These costs can be absorbed within the agencies' existing budgeted resources.'

SUMMARY

This amendment changes the bill to a resolve, changes the title of the bill and replaces the bill.

This amendment transfers \$570,000 in fiscal year 2001-02 from the Maine Solid Waste Management Fund to the Tire Management Fund. The amendment also transfers in the next fiscal year 50% of the surplus in the Maine Solid Waste Management Fund to the Tire Management Fund. Those transferred funds must be used for tire stockpile abatement, remediation and cleanup.

The amendment also directs the Commissioner of Environmental Protection and the Director of the State Planning Office to prepare an implementation plan, timetable and budget to accomplish the legislative goal of permanently dedicating those fees for tire pile abatement, remediation and cleanup while

H & S

COMMITTEE AMENDMENT "A" to H.P. 200, L.D. 230

2 continuing to support the positions currently funded by those
fees either through the General Fund or through some other
4 revenue source. That plan must be submitted to the joint
standing committee of the Legislature having jurisdiction over
6 natural resources matters by January 1, 2003. That committee is
authorized to report out a bill to the First Regular Session of
8 the 121st Legislature.

10 This amendment adds an allocation and a fiscal note to the
bill.

COMMITTEE AMENDMENT