

MAINE STATE LEGISLATURE

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

HOUSE AMENDMENT "B" to S.P. 630, L.D. 1812, Bill, "An Act to Prevent Infestation of Invasive Aquatic Plants and to Control Other Invasive Species"

Amend the bill in Part A in section 3 in that part designated "~~§7794-B.~~" in the first paragraph by striking out all of the last sentence (page 2, lines 1 and 2 in L.D.) and inserting in its place the following: 'A fee may not be assessed for a sticker.'

Further amend the bill in Part A in section 3 in that part designated "~~§7794-B.~~" by striking out all of subsections 1 and 2 (page 2, lines 4 to 22 in L.D.)

Further amend the bill in Part A in section 5 in that part designated "~~§7806.~~" by striking out all of the 3rd sentence (page 3, lines 15 to 18 in L.D.) and inserting in its place the following: 'The fund is funded from revenue collected from the income tax checkoff pursuant to Title 36, section 5285-B, 40% of which must be credited to the fund, and from other funds accepted for those purposes by the commissioner or allocated or appropriated by the Legislature.'

Further amend the bill in Part A by inserting after section 5 the following:

'Sec. A-6. 36 MRSA §5285-B is enacted to read:

§5285-B. Lake and River Protection Fund and Invasive Aquatic Plant and Nuisance Species Fund checkoff

1. Lake and River Protection Fund and Invasive Aquatic Plant and Nuisance Species Fund. When filing a return, a taxpayer entitled to a refund under this Part may designate that a \$2 refund be paid into the Lake and River Protection Fund established in Title 12, section 7806 and the Invasive Aquatic Plant and Nuisance Species Fund established in Title 38, section 1863. A taxpayer who is not entitled to a refund under this Part may contribute to those funds by including with that taxpayer's return sufficient funds to make the contribution. Each individual income tax return form must contain a designation in substantially the following form: "Lake and River Protection Fund and Invasive Aquatic Plant and Nuisance Species Fund: () \$2."

2. Contributions credited to the funds. The State Tax Assessor shall determine annually the total amount contributed pursuant to subsection 1. Prior to the beginning of the next year, the State Tax Assessor shall deduct the cost of administering the Lake and River Protection Fund and Invasive Aquatic Plant and Nuisance Species Fund checkoff, but not exceeding \$2,000 annually, and report the remainder to the Treasurer of State, who shall forward 40% of that amount to the Lake and River Protection Fund and 60% of that amount to the Invasive Aquatic Plant and Nuisance Species Fund.

3. Effective date. This section applies to tax years beginning on and after January 1, 2001.'

Further amend the bill in Part A in section 7 in that part designated "~~\$1863.~~" in the first paragraph in the 4th to 6th lines (page 5, lines 15 to 17 in L.D.) by striking out the following: "fees collected for lake and river protection stickers issued under Title 12, section 7794-B" and inserting in its place the following: 'revenue collected from the income tax checkoff pursuant to Title 36, section 5285-B, 60% of which must be credited to the fund,'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

FISCAL NOTE

	2001-02	2002-03
REVENUES		
Other Funds	\$50,000	\$50,000

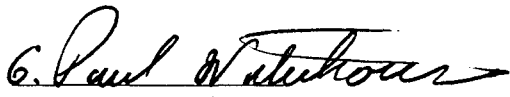
2 The amendment eliminates the portion of the bill that
3 authorized transfers from the Maine Rainy Day Fund totalling
4 \$560,000 to provide working capital for 2 funds within the
5 Department of Inland Fisheries and Wildlife and the Department of
6 Environmental Protection that would have reduced interest
7 earnings to the Maine Rainy Day Fund.

8 The bill as amended establishes an income tax checkoff
9 program that will generate dedicated revenue estimated to be
10 \$50,000 annually, beginning in fiscal year 2001-02. Of the total
11 amount of revenue, \$20,000 annually is dedicated to the Lake and
12 River Protection Fund within the Department of Environmental
13 Protection and \$30,000 annually is dedicated to the Invasive
14 Aquatic Plant and Nuisance Species Fund within the Department of
15 Inland Fisheries and Wildlife.

16 These estimated dedicated revenue amounts will not be
17 sufficient to cover the total expenditure costs of \$246,572 and
18 \$1,095,342 in fiscal years 2001-02 and 2002-03, respectively, for
19 the Department of Environmental Protection, nor will these
20 revenue estimates be sufficient to cover the total expenditure
21 costs of \$329,097 and \$758,630 in fiscal years 2001-02 and
22 2002-03, respectively, for the Department of Inland Fisheries and
23 Wildlife. To cover the significant lack of adequate revenues,
24 the departments will have to curtail spending to correspond to
25 the amount of revenues that will be available or another funding
26 source must be used to provide additional resources.

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31
32 **SUMMARY**

33 This amendment removes the fees from the sticker and
34 provides an alternative funding mechanism in the form of a \$2
35 income tax checkoff.

36
37
38 SPONSORED BY: 
39 (Representative WATERHOUSE)

40
41
42 TOWN: Bridgton