

# MAINE STATE LEGISLATURE

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L.D. 2009

DATE: 3-15-02

(Filing No. H-928)

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

COMMITTEE AMENDMENT "A" to H.P. 1506, L.D. 2009, Bill, "An Act to Amend the Laws Concerning Specialty License Plates"

Amend the bill by striking out all of sections 1 to 3 and inserting in their place the following:

'Sec. 1. 12 MRSA c. 619, sub-c. IV-A is enacted to read:

SUBCHAPTER IV-A

LOBSTER RESEARCH, EDUCATION AND DEVELOPMENT FUND

\$6465. Lobster Research, Education and Development Fund

The Lobster Research, Education and Development Fund, referred to in this subchapter as the "fund," is established in the department. Balances in the fund may not lapse and must be carried forward and used for the purposes of this section.

1. Sources and uses of fund. Revenues from lobster special registration plate fees credited to the fund under Title 29-A, section 456-A may be used for research and education to support the development of the lobster industry in this State.

2. Research, education and development board. The commissioner shall appoint a research, education and development board and consult with the board regarding the expenditures from the fund. The board is composed of one member from each of the following organizations:

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2 A. A statewide association representing the interests of  
persons who harvest lobster commercially;

4 B. An association representing the interests of persons who  
harvest lobster commercially in Washington and Hancock  
6 counties;

8 C. A southern Maine association representing the interests  
of persons who harvest lobster commercially;

10 D. A statewide import-export lobster dealers' association;

12 E. A statewide lobster pound owners' association;

14 F. A statewide lobster processors' association;

16 G. The Lobster Promotion Council under section 6455;

18 H. The Lobster Advisory Council established by Title 5,  
20 section 12004-I, subsection 58; and

22 I. An international lobster institute. This member must be  
24 a resident of the State.

26 **Sec. 2. 20-A MRSA c. 412-A is enacted to read:**

28 **CHAPTER 412-A**

30 **MAINE BLACK BEARS SCHOLARSHIP FUND**

32 **§10971. Maine Black Bears Scholarship Fund**

34 The Maine Black Bears Scholarship Fund is created and  
established as a nonlapsing fund administered by the University  
36 of Maine. All revenues credited to this fund must be distributed  
as need-based scholarships for students attending the University  
38 of Maine. Scholarships distributed under this section may be  
awarded only to students who demonstrate financial need. The  
40 University of Maine shall award the scholarships and adopt rules  
for determining eligibility, terms and conditions for  
42 scholarships. The fund may not be used for the costs of  
administering the scholarships.

44 **Sec. 3. 20-A MRSA §11631, as amended by PL 2001, c. 70, §12,**  
46 **is further amended to read:**

48 **§11631. University of Maine System Scholarship Fund**

50 The University of Maine System Scholarship Fund is created  
and established as a nonlapsing fund under the jurisdiction and

control of the Finance Authority of Maine. All revenues credited to this fund must be distributed as need-based scholarships for students attending the University of Maine System. These scholarships may only be awarded to those students who are residents of the State, who pay tuition and who otherwise meet the eligibility requirements for a grant under the Maine State Grant Program under chapter 419-A. The Finance Authority of Maine shall award the scholarships and adopt rules for determining eligibility, terms and conditions for the scholarships. The fund may not be used for the costs of administering the scholarships. Fees credited from the University of Maine System registration plate pursuant to Title 29-A, section 456 may not be distributed as scholarships to students attending the University of Maine on or after July 1, 2004.

**Sec. 4. 29-A MRSA §§456-A and 456-B are enacted to read:**

**§456-A. Lobster registration plates**

**1. Lobster plates.** The Secretary of State, upon receiving an application and evidence of payment of the excise tax required by Title 36, section 1482, the annual motor vehicle registration fee required by section 501 and the contribution provided for in subsection 2, shall issue a registration certificate and a set of lobster special registration plates to be used in lieu of regular registration plates. These plates must bear identification numbers and letters.

**2. Contribution to Lobster Research, Education and Development Fund.** In addition to the regular motor vehicle registration fee prescribed by law for the particular class of vehicle registered, the initial contribution for lobster plates is \$20, which must be deposited with the Treasurer of State and credited as follows:

**A. Ten dollars to the Lobster Research, Education and Development Fund established in Title 12, section 6465; and**

**B. Ten dollars to the Highway Fund for administrative and production costs.**

**3. Design.** The Secretary of State, in consultation with the Lobster Promotion Council under Title 12, section 6455, shall determine a design for the lobster special registration plates. The joint standing committee of the Legislature having jurisdiction over transportation matters shall review the final design prior to manufacture of the plates. The Secretary of State shall issue upon request lobster plates that are also

vanity plates. Lobster plates are issued in accordance with the provisions of this section and section 453.

4. Renewal fee. In addition to the regular motor vehicle registration fee prescribed by law, the annual renewal contribution for lobster special registration plates is \$15, which must be deposited with the Treasurer of State and credited as follows:

A. Ten dollars to the Lobster Research, Education and Development Fund established in Title 12, section 6465; and

B. Five dollars to the Highway Fund for administrative and production costs.

5. Reimbursement for production and issuance costs for first 2,000 plates. The sponsor of the lobster plate pursuant to section 468, subsection 1 shall provide \$20,000 to the Secretary of State on or before December 1, 2002 for costs associated with the production and issuance of plates. The Secretary of State shall deposit these funds in the Specialty License Plate Fund in accordance with section 469, subsection 2. The Secretary of State shall then deposit fees collected through the sale of the first 2,000 plates in the Lobster Research, Education and Development Fund established in Title 12, section 6465. Subsequently, the Treasurer of State shall reimburse the sponsor for the initial payment of \$20,000 from the Lobster Research, Education and Development Fund.

6. Reimbursement for production and issuance costs for plates produced after first 2,000 plates. The Secretary of State shall deposit to the Lobster Research, Education and Development Fund established in Title 12, section 6465 \$20 for each initial set of lobster registration plates and \$15 for each renewal of lobster registration plates. The Treasurer of State shall transfer annually from the Lobster Research, Education and Development Fund to the Highway Fund \$10 for each initial set of lobster registration plates issued and \$5 for each renewal of lobster registration plates. This transfer is to reimburse the Secretary of State for costs associated with production and issuance of plates.

7. Duplicate plates. The Secretary of State shall issue a lobster plate in a 3-number and 3-letter combination sequence. Vanity plates may not duplicate vanity plates issued in another class of plate.

8. Weight limit. A lobster plate may be issued for a motor vehicle that does not exceed 9,000 pounds. A motor vehicle that exceeds 6,000 pounds is subject to the fees in section 504.

2 9. Date of first issue. The Secretary of State shall issue  
the first lobster plate on or after May 1, 2003.

4 **§456-B. Maine Black Bears registration plates**

6 1. Maine Black Bears plates. The Secretary of State, upon  
8 receiving an application and evidence of payment of the excise  
tax required by Title 36, section 1482, the annual motor vehicle  
10 registration fee required by section 501 and the contribution  
provided for in subsection 2, shall issue a registration  
12 certificate and a set of Maine Black Bears special registration  
plates to be used in lieu of regular registration plates. These  
14 plates must bear identification numbers and letters.

16 2. Contribution to Maine Black Bears Scholarship Fund. In  
addition to the regular motor vehicle registration fee prescribed  
18 by law for the particular class of vehicle registered, the  
initial contribution for Maine Black Bears plates is \$20, which  
20 must be deposited with the Treasurer of State and credited as  
follows:

22 A. Ten dollars to the Maine Black Bears Scholarship Fund  
24 established in Title 20-A, section 10971; and

26 B. Ten dollars to the Highway Fund for administrative and  
28 production costs.

30 3. Design. The Secretary of State, in consultation with  
the alumni association of the University of Maine, shall  
32 determine a design for the Maine Black Bears special registration  
plates. The joint standing committee of the Legislature having  
jurisdiction over transportation matters shall review the final  
34 design prior to manufacture of the plates. The Secretary of  
State shall issue upon request Maine Black Bears plates that are  
36 also vanity plates. Maine Black Bears plates are issued in  
accordance with the provisions of this section and section 453.

38 4. Renewal fee. In addition to the regular motor vehicle  
40 registration fee prescribed by law, the annual renewal  
contribution for Maine Black Bears special registration plates is  
42 \$15, which must be deposited with the Treasurer of State and  
credited as follows:

44 A. Ten dollars to the Maine Black Bears Scholarship Fund  
46 established in Title 20-A, section 10971; and

48 B. Five dollars to the Highway Fund for administrative and  
50 production costs.

2 5. Reimbursement for production and issuance costs for  
3 first 2,000 plates. The sponsor of the Maine Black Bears plate  
4 pursuant to section 468, subsection 1 shall provide \$20,000 to  
5 the Secretary of State on or before June 1, 2003 for costs  
6 associated with the production and issuance of plates. The  
7 Secretary of State shall deposit these funds in the Specialty  
8 License Plate Fund in accordance with section 469, subsection 2.  
9 The Secretary of State shall then deposit fees collected through  
10 the sale of the first 2,000 plates in the Maine Black Bears  
11 Scholarship Fund established in Title 20-A, section 10971.  
12 Subsequently, the Treasurer of State shall reimburse the sponsor  
13 for the initial payment of \$20,000 from the Maine Black Bears  
14 Scholarship Fund.

15 6. Reimbursement for production and issuance costs for  
16 plates produced after first 2,000 plates. The Secretary of State  
17 shall deposit to the Maine Black Bears Scholarship Fund  
18 established in Title 20-A, section 10971 \$20 for each initial set  
19 of Maine Black Bears registration plates and \$15 for each renewal  
20 of Maine Black Bears registration plates. The Treasurer of State  
21 shall transfer annually from the Maine Black Bears Scholarship  
22 Fund to the Highway Fund \$10 for each initial set of Maine Black  
23 Bears registration plates issued and \$5 for each renewal of Maine  
24 Black Bears registration plates. This transfer is to reimburse  
25 the Secretary of State for costs associated with production and  
26 issuance of plates.

27 7. Duplicate plates. The Secretary of State shall issue a  
28 Maine Black Bears plate in a 3-number and 3-letter combination  
29 sequence. Vanity plates may not duplicate vanity plates issued  
30 in another class of plate.

31 8. Weight limit. A Maine Black Bears plate may be issued  
32 for a motor vehicle that does not exceed 9,000 pounds. A motor  
33 vehicle that exceeds 6,000 pounds is subject to the fees in  
34 section 504.

35 9. Date of first issue. The Secretary of State shall issue  
36 the first Maine Black Bears plate on or after November 1, 2003.'

37 Further amend the bill by striking out all of section 6 and  
38 inserting in its place the following:

39 'Sec. 6. Appropriations and allocations. The following  
40 appropriations and allocations are made.

41 **MARINE RESOURCES, DEPARTMENT OF**

42 **Bureau of Resource Management**

COMMITTEE AMENDMENT "A" to H.P. 1506, L.D. 2009

Initiative: Allocates funds for the newly established Lobster Research, Education and Development Fund.

4	<b>Other Special Revenue Funds</b>	<b>2001-02</b>	<b>2002-03</b>
6	All Other	\$0	\$40,000
8	<b>MARINE RESOURCES, DEPARTMENT OF</b>		
8	<b>DEPARTMENT TOTALS</b>		<b>2002-03</b>
10	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$40,000</b>
12	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$40,000</b>
14	<b>SECRETARY OF STATE, DEPARTMENT OF</b>		
14	<b>Administration - Motor Vehicles</b>		
16			
18	Initiative: Allocates funds for the production of lobster registration plates and for Maine Black Bears registration plates.		
20			
22	<b>Other Special Revenue Funds</b>	<b>2001-02</b>	<b>2002-03</b>
22	All Other	\$0	\$40,000
24	<b>SECRETARY OF STATE, DEPARTMENT OF</b>		
24	<b>DEPARTMENT TOTALS</b>	<b>2001-02</b>	<b>2002-03</b>
26			
28	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$40,000</b>
28	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$40,000</b>
30	<b>SECTION TOTALS</b>	<b>2001-02</b>	<b>2002-03</b>
32	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$80,000</b>
32	<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$80,000'</b>

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

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

**FISCAL NOTE**

44		<b>2001-02</b>	<b>2002-03</b>
46	<b>APPROPRIATIONS/ALLOCATIONS</b>		
48	Other Funds		\$80,000



**REVENUES**

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Other Funds \$80,000

The authorization of Lobster Registration plates and Maine Black Bear registration plates will increase specialty plate revenue collections. The estimated increase of one-time dedicated revenue to the Department of the Secretary of State, Bureau of Motor Vehicles from plate sponsors is \$40,000 in fiscal year 2002-03. The bureau will need equivalent increases in Other Special Revenue funds allocations in fiscal year 2002-03 for the cost of manufacturing both of these specialty registration plates.

The estimated increases of dedicated revenue from additional registration fees to the Department of Marine Resources is \$40,000 in fiscal year 2002-03 and to the University of Maine System is \$40,000 in fiscal year 2003-04. Beginning in fiscal year 2003-04, the collection of renewal fees for the new specialty registration plates will result in an estimated annual increase of \$30,000 in dedicated revenues for the Department of Marine Resources and will result in a similar increase to the University of Maine System beginning in fiscal year 2004-05. Each agency will need equivalent increases in Other Special Revenue funds allocations in the corresponding fiscal years to reflect authorized expenditures for both agencies.

The collection of renewal registration fees from the authorization of the 2 new specialty registration plates will also increase future fee collections that are deposited into the Highway Fund. Beginning in fiscal year 2003-04, the collection of renewal fees for the new specialty registration plates will result in an estimated annual increase of \$20,000 in revenues for the Highway Fund. This amount will increase to \$40,000 in fiscal year 2004-05.

The additional costs associated with certain funds transfers can be absorbed by the Office of the Treasurer of State utilizing existing budgeted resources.

The additional costs associated with rulemaking and administration of a certain scholarship program can be absorbed by the University of Maine System utilizing existing budgeted resources.'

**SUMMARY**

This amendment replaces the bill and establishes the lobster special registration plate and the Lobster Research, Education and Development Fund. It also establishes the Maine Black Bears

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2 special registration plate and the Maine Black Bears Scholarship  
Fund. The amendment retains the provisions of the bill that  
4 tighten the requirements for the authorization of new specialty  
license plates. The amendment also adds an appropriation and  
allocation section and a fiscal note to the bill.

**COMMITTEE AMENDMENT**