

MAINE STATE LEGISLATURE

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MM
R.016

L.D. 1968

DATE: 3-28-06

(Filing No. H-893)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1378, L.D. 1968, Bill, "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2006 and June 30, 2007"

Amend the amendment by inserting after Part FFFF the following:

PART GGGG

Sec. GGGG-1. 12 MRSA §6136 is enacted to read:

§6136. Maine Coast Environmental Trust Fund

1. Creation of trust fund. There is established the Maine Coast Environmental Trust Fund, referred to in this section as "the trust," as an Other Special Revenue Funds account within the Department of Marine Resources.

2. Purpose of trust. The purpose of the trust is to protect and improve the quality of the State's marine environment by providing grants to qualifying organizations for activities to advance scientific research concerning the nature, magnitude and effect of pollution of the State's estuarine, near-shore and off-shore marine environments and the means to abate pollution or preserve and enhance estuarine, near-shore and off-shore marine habitats.

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2 3. Sources for trust. Money obtained from the following
3 sources must be paid to the Treasurer of State for the benefit of
4 the trust:

6 A. Gifts, bequests and donations to the trust from private
7 individuals or corporations desiring to protect and improve
8 the marine environment through applied research;

10 B. Grants to the trust from private or public foundations
11 desiring to protect and improve the marine environment
12 through applied and basic research;

14 C. Funds stipulated for deposit in the trust as part of the
15 terms of settlement of legal actions against corporations,
16 partnerships or individuals for violations of environmental
17 laws, rules or regulations;

18 D. Funds for research received under any federal oil spill
19 trust fund;

22 E. Revenues that may be from time to time realized through
23 public bond issues;

24 F. Federal grants and loans; and

26 G. Appropriations and transfers authorized by the
27 Legislature.

28 4. Use and administration of trust. Trust funds must be
29 used to provide grants to meet the purposes of this section. The
30 department shall administer the trust as follows.

32 A. Unless otherwise specified by the source of a
33 contribution to the trust, 50% of a contribution to the
34 trust must be deposited in a principal account and
35 maintained as a permanent endowment. The income earned on
36 funds held in this account, combined with the remaining 50%
37 of funds contributed to the trust, must be deposited in an
38 operating account and made available for disbursement as
39 grants to accomplish the purposes of this section and as
40 expenditures for purposes of administering the trust.

42 B. An executive agency is not eligible to receive funding
43 from the trust unless the agency jointly undertakes a
44 research proposal with another entity that is not an
45 executive agency.

48 C. The department shall give preference to institutions,
49 organizations and entities located and operated in the State.

50

2 D. Principal, or interest earned from principal, with
special instructions from contributors must be awarded in
4 accordance with the contributors' instructions.

6 E. All money in the trust not immediately required for
payment, pursuant to the provisions of this section, must be
8 invested by the Treasurer of State as authorized by Title 5,
section 138, except that the securities in which the trust
10 money is invested must remain part of the trust until
exchanged for other securities and the income from all
12 investments must remain a part of the trust unless
prohibited by federal law.

14 5. Report, amendment and termination of trust. The
department shall file a report as follows.

16 A. The department shall report to the Legislature on a
18 biennial basis concerning the activities of the trust.

20 B. In the event the department determines that the
provisions of the trust should be amended, the department
22 shall make appropriate recommendations to the Legislature in
its biennial report.

24 C. The department may recommend in its biennial report that
the trust be terminated if termination is determined to be
26 appropriate. In the event that the Legislature terminates
the trust, the principal and operating funds must be
28 disbursed in a manner consistent with the purpose of the
30 trust.

32 **Sec. GGGG-2. Development of competitive grant program; report.**
The Department of Marine Resources shall develop a competitive
34 grant program, including qualifications and application
procedures, for the improvement and protection of the State's
36 marine environment pursuant to the Maine Revised Statutes, Title
12, section 6136. The department shall report by January 15,
38 2007 to the First Regular Session of the 123rd Legislature with
its recommendations and any necessary implementing legislation.

40 **Sec. GGGG-3. Transfer of funds.** Notwithstanding any other
42 provision of law, on or before October 1, 2006, the State
Controller shall transfer \$52,300 from the unappropriated surplus
44 of the General Fund to the Maine Coast Environmental Trust Fund
account as established pursuant to the Maine Revised Statutes,
46 Title 12, section 6136.

48 **Sec. GGGG-4. Appropriations and allocations.** The following
appropriations and allocations are made.

R.08

2 **MARINE RESOURCES, DEPARTMENT OF**

4 **Maine Coast Environmental Trust Fund**

6 Initiative: Provides funds to restore the clam flats in Stockton Harbor.

8

	2005-06	2006-07
10 OTHER SPECIAL REVENUE FUNDS		
All Other	\$0	\$40,000
12 OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$40,000</u>

14 **Maine Coast Environmental Trust Fund**

16 Initiative: Provides funds to reestablish a competitive grant program.

18

	2005-06	2006-07
20 OTHER SPECIAL REVENUE FUNDS		
All Other	\$0	\$12,300
22 OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$12,300</u>

24 **Bureau of Resource Management 0027**

26 Initiative: Deappropriates funding for 2 Conservation Aide positions and associated operational costs.

28

	2005-06	2006-07
30 GENERAL FUND		
POSITIONS - FTE COUNT	0.000	(1.000)
Personal Services	\$0	(\$51,994)
32 All Other	\$0	(\$18,340)
34 GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$70,334)</u>

36 **MARINE RESOURCES, DEPARTMENT OF**
38 **DEPARTMENT TOTALS**

	2005-06	2006-07
38 GENERAL FUND	\$0	(\$70,334)
40 OTHER SPECIAL REVENUE FUNDS	\$0	\$52,300
42 DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>(\$18,034)</u>

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

48

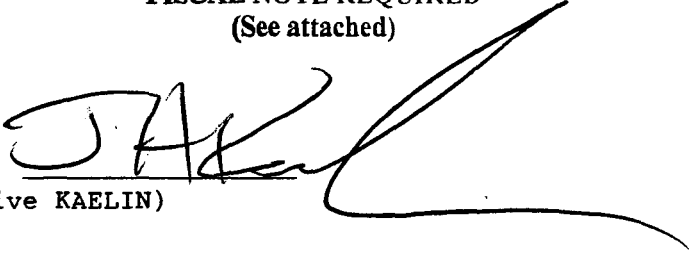
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HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1378,
L.D. 1968

SUMMARY

This amendment deappropriates funds from the Department of Marine Resources, Bureau of Resource Management, reestablishes the Maine Coast Environmental Trust Fund in the Department of Marine Resources, and appropriates funds to be used to restore the clam flats in Stockton Harbor.

FISCAL NOTE REQUIRED
(See attached)

SPONSORED BY: 
(Representative KAELIN)

TOWN: Winterport

HOUSE AMENDMENT



122nd MAINE LEGISLATURE

LD 1968

LR 3074(06)

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2006 and June 30, 2007

Fiscal Note for House Amendment *A* to Committee Amendment "A"
Sponsor: Rep. Kaelin
Fiscal Note Required: Yes

Fiscal Note

	2005-06	2006-07
Net Cost (Savings)		
General Fund	\$0	(\$18,034)
Appropriations/Allocations		
General Fund	\$0	(\$70,334)
Transfers		
General Fund	\$0	(\$52,300)

Fiscal Detail and Notes

This amendment will decrease the General Fund cost of the bill by \$18,034 in fiscal year 2006-07. Based on the estimated year-end balances, this amendment maintains a balanced budget for the 2006-2007 biennium.