

1 H.9

2 Introduced by Representative Giambatista of Essex

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; license plates; registration plates; water quality;
6 income tax return; Clean Water Fund; Champ

7 Statement of purpose of bill as introduced: This bill proposes to:

- 8 (1) create a new motor vehicle registration plate named “Be a Water
9 Champ,” which will showcase Champ; enhance the public awareness of the
10 State’s interest in restoring, protecting, and maintaining water quality; and
11 raise additional revenue for the Clean Water Fund; and
12 (2) create a “Be a Water Champ” checkoff on the State individual income
13 tax return so that an individual can designate some or all of a refund due to, or
14 an overpayment made by, the taxpayer to the Clean Water Fund.

15 An act relating to the creation of the “Be a Water Champ” vehicle
16 registration plate and “Be a Water Champ” income tax return checkoff

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. 23 V.S.A. § 304d is added to read:

3 § 304d. WATER QUALITY MOTOR VEHICLE REGISTRATION

4 PLATES: BE A WATER CHAMP

5 (a) As used in this section, “Champ” means the popularized lake monster
6 believed to inhabit Lake Champlain.

7 (b) The Commissioner shall, upon application, issue “Be a Water Champ”
8 registration plates for use only on vehicles registered at the pleasure car rate,
9 on trucks registered for less than 26,001 pounds, and on motor vehicles
10 registered to State agencies under section 376 of this title, but excluding
11 vehicles registered under the International Registration Plan. Plates so
12 acquired shall be mounted on the front and rear of the vehicle. The
13 Commissioners of Motor Vehicles and of Environmental Conservation shall
14 determine the graphic design of the Be a Water Champ plate in a manner that
15 showcases Champ and serves to enhance public awareness of the State’s
16 interest in restoring, protecting, and maintaining water quality in the State.
17 The Commissioners of Motor Vehicles and of Environmental Conservation
18 may alter the graphic design of the Be a Water Champ plate, provided that Be
19 a Water Champ plates in use at the time of a design alteration shall remain
20 valid subject to the operator’s payment of the annual registration fee.
21 Applicants shall apply on forms prescribed by the Commissioner and shall pay

1 an initial fee of \$25.00 in addition to the annual fee for registration. In
2 following years, in addition to the annual registration fee, the holder of a Be a
3 Water Champ plate shall pay a renewal fee of \$25.00. The Commissioner may
4 adopt rules under 3 V.S.A. chapter 25 to implement the provisions of this
5 subsection.

6 (c) Initial fees collected under subsection (a) of this section shall be
7 allocated as follows: 100 percent to the Clean Water Fund created in
8 10 V.S.A. § 1388.

9 (d) Renewal fees collected under subsection (a) of this section shall be
10 allocated as follows: 100 percent to the Clean Water Fund created in
11 10 V.S.A. § 1388.

12 Sec. 2. 32 V.S.A. § 5862g is added to read:

13 § 5862g. BE A WATER CHAMP CHECKOFF

14 (a) Returns filed by individuals shall include, on a form prescribed by the
15 Commissioner of Taxes, an opportunity for the taxpayer to designate funds to
16 the Clean Water Fund created in 10 V.S.A. § 1388.

17 (b) Amounts designated under subsection (a) of this section shall be
18 deducted from a refund due to, or an overpayment made by, the designating
19 taxpayer. All amounts so designated and deducted shall be deposited in an
20 account by the Commissioner of Taxes for payment to the Clean Water Fund.
21 If at any time after the payment of amounts so designated to the account it is

1 determined that the taxpayer was not entitled to all or any part of the amount so
2 designated, the Commissioner may assess, and the account shall then pay to
3 the Commissioner, the amount received, together with interest at the rate
4 prescribed by section 3108 of this title, from the date the payment was made
5 until the date of repayment.

6 (c) The Commissioner of Taxes shall explain to taxpayers the purpose of
7 the account and how to contribute to it. The Commissioner shall provide
8 notice in the instructions for the State individual income tax return as to how to
9 obtain a copy of the annual income and expense report of the Clean Water
10 Fund.

11 (d) If amounts paid with respect to a return are insufficient to cover both
12 the amount owed on the return under this chapter and the amount designated
13 by the taxpayer as a contribution to the Clean Water Fund, the payment shall
14 first be applied to the amount owed on the return under this chapter and the
15 balance, if any, shall be deposited in the Clean Water Fund.

16 (e) Nothing in this section shall be construed to require the Commissioner
17 of Taxes to collect any amount designated as a contribution to the Clean
18 Water Fund.

19 Sec. 3. EFFECTIVE DATES

20 (a) Sec. 1 (Be a Water Champ registration plate) shall take effect on
21 passage, and the Commissioner of Motor Vehicles shall begin issuing Be a

- 1 Water Champ motor vehicle registration plates pursuant to this act no later
2 than January 1, 2020.
- 3 (b) Sec. 2 (Be a Water Champ checkoff) shall take effect on January 1,
4 2020 and apply to returns filed after that date.