

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2366

H.P. 1686

House of Representatives, February 20, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative JACQUES of Waterville.

Cosponsored by Senator PEARSON of Penobscot, Representative ROTONDI of Athens and Senator SUMMERS of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-TWO

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Protect Revenues Raised By the Department of Inland Fisheries and Wildlife.

(AFTER DEADLINE)



2 Constitutional amendment. RESOLVED: Two thirds of each
branch of the Legislature concurring, that the following
amendment to the Constitution of Maine be proposed:

4
6 Constitution, Art. IX, Section 21 is enacted to read:

8 Section 21. Revenues generated by fisheries and wildlife
9 management. The amount of funds appropriated in any fiscal year
10 to the Department of Inland Fisheries and Wildlife, or any
11 successor agency responsible for fisheries and wildlife
12 management, other than commercial marine fisheries management,
13 may not be less than the total revenues collected, received or
14 recovered by the Department of Inland Fisheries and Wildlife, or
15 successor agency, from license and permit fees, fines, the sale,
16 lease or rental of property, penalties and all other revenue
17 sources pursuant to the laws of the State administered by the
18 department or successor agency, except that revenues received
19 from the federal government may be allocated as provided by
20 federal or state law and the Legislature may establish special
21 funds and deposit revenues collected, received or recovered by
22 the department or successor agency into those special funds,
23 provided that the revenues are allocated and expended only for
24 the purposes of those special funds as provided by law.

26 ; and be it further

28 Constitutional referendum procedure; form of question; effective
date. Resolved: That the municipal officers of this State shall
notify the inhabitants of their respective cities, towns and
plantations to meet, in the manner prescribed by law for holding
a general election, at the next general election in the month of
November following passage of this resolution, to vote upon the
ratification of the amendment proposed in this resolution by
voting upon the following question:

36 "Do you favor amending the Constitution of Maine to provide
37 that revenues derived from noncommercial hunting, fishing
38 and trapping licenses and permits and other revenues
39 collected by the Department of Inland Fisheries and
40 Wildlife, other than revenues set aside for special
41 purposes, must be appropriated to the Department of Inland
42 Fisheries and Wildlife?"

44 The legal voters of each city, town and plantation shall
45 vote by ballot on this question and designate their choice by a
46 cross or check mark placed within the corresponding square below
47 the word "Yes" or "No." The ballots must be received, sorted,
48 counted and declared in open ward, town and plantation meetings
49 and returns made to the Secretary of State in the same manner as
50 votes for members of the Legislature. The Governor shall review
51 the returns and, if it appears that a majority of the legal votes
52 are cast in favor of the amendment, the Governor shall proclaim

2 that fact without delay and the amendment becomes part of the
Constitution on the date of the proclamation; and be it further

4 **Secretary of State shall prepare ballots. Resolved:** That the
6 Secretary of State shall prepare and furnish to each city, town
and plantation all ballots, returns and copies of this resolution
8 necessary to carry out the purpose of this referendum.

10 **STATEMENT OF FACT**

12 This resolution proposes an amendment to the Constitution of
14 Maine. The amendment provides that money collected, received or
recovered by the Department of Inland Fisheries and Wildlife or
16 any successor agency could be expended only by that department
for the purposes of noncommercial fisheries and wildlife
18 management. Exception is made for revenues from the federal
government and for special funds established by law that would be
20 appropriated or allocated and expended as provided by law.