

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 611

S.P. 193

In Senate, January 30, 1997

An Act to Ensure Funding for Snowmobile Law Enforcement Activities.

(EMERGENCY)

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KIEFFER of Aroostook.
Cosponsored by Representative UNDERWOOD of Oxford and
Senators: HALL of Piscataquis, MICHAUD of Penobscot, PARADIS of Aroostook,
Representatives: DONNELLY of Presque Isle, LEMONT of Kittery, MACK of Standish.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 Whereas, recent increases in snowmobile registration fees
6 have not been utilized to enhance snowmobile enforcement
activities by the Department of Inland Fisheries and Wildlife as
8 intended by the Legislature; and

10 Whereas, a separate snowmobile enforcement fund must be
established in the department in order to adequately ensure that
12 those increased fees are used for snowmobile enforcement
activities; and

14 Whereas, the policies in this legislation must take effect
16 immediately in order to ensure the effective enforcement of
snowmobile laws during this winter's recreational snowmobile
18 season; and

20 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
22 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
24 safety; now, therefore,

26 **Be it enacted by the People of the State of Maine as follows:**

28 **Sec. 1. 12 MRSA §7017, sub-§7** is enacted to read:

30 7. Snowmobile enforcement expenditures not to diminish. In
every fiscal year, the department shall budget from
32 appropriations to the enforcement operations program an amount
for snowmobile enforcement activities that is not less than the
34 average General Fund expenditures from that program for those
purposes over the previous 2 fiscal years. Expenditures from the
36 Snowmobile Enforcement Fund, established in section 7824-G, may
not be included in calculating average expenditures.

38 **Sec. 2. 12 MRSA §7824, sub-§2, ¶A**, as enacted by PL 1995, c.
40 467, §3, is amended to read:

42 A. For residents, \$20 \$25. The registration for a
snowmobile owned by a resident is valid for one year,
44 commencing on July 1st of each year; and

46 **Sec. 3. 12 MRSA §7824, sub-§3, ¶A**, as amended by PL 1991, c.
477, §2 and 1995, c. 502, Pt. E, §30, is further amended to read:

48

2 A. The registration fee for residents is credited as follows+.

4 (1) \$4.75 of each fee is credited to the General Fund as undedicated revenue+.

6 (2) ~~\$9.25~~ \$12.50 of each fee is credited to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Lands+and.

10 (3) \$6 of each fee is annually distributed to the municipality of the owner's residence as shown on the owner's registration certificate, except that in unorganized territory, \$6 of each fee is annually distributed to the county of the owner's residence as shown on the owner's registration certificate and credited to the unorganized territory fund of that county established in Title 30-A, section 7502.

18 (4) \$4.25 of each fee is credited to the Snowmobile Enforcement Fund established under section 7824-G.

22 **Sec. 4. 12 MRSA §7824, sub-§3, ¶B,** as amended by PL 1995, c. 467, §4 and c. 502, Pt. E, §30, is further amended to read:

26 B. The registration fee for nonresidents is credited as follows.

28 (1) ~~Fifteen-dollars~~ \$10.75 of each fee is credited to the General Fund as undedicated revenue.

30 (1-A) \$4.25 of each fee is credited to the Snowmobile Enforcement Fund established under section 7824-G.

32 (2) The remainder is credited to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Lands.

34 **Sec. 5. 12 MRSA §7824-G** is enacted to read:

38 **§7824-G. Snowmobile Enforcement Fund**

40 The Snowmobile Enforcement Fund is established in the department's Bureau of Warden Service and in this section referred to as the "fund." All funds credited to the fund are available for use by the Game Warden Colonel of the Bureau of Warden Service only for the purposes established in this section. Money in the fund may be used only to supplement other funds appropriated to the enforcement operations program. Money

1 in the fund at the end of each fiscal year does not lapse and
2 must be carried forward to the next fiscal year.

4 The Game Warden Colonel may use money in the fund only for
5 the following purposes:

6 1. Snowmobile law enforcement. Regular or overtime
7 personnel services costs of the warden service related to
8 enforcement of snowmobile laws;

10 2. Education and training. Safety or other education
11 programs conducted by the department or authorized by the
12 department that are related to the operation of snowmobiles; or

14 3. Other related uses. Other purposes, including the
15 purchase of equipment or machinery, determined by the Game Warden
16 Colonel as necessary for effective snowmobile safety and
17 enforcement activities.

20 **Sec. 6. Transfer of funds.** Notwithstanding any other provision
21 of law, no later than 30 days after the effective date of this
22 Act, the State Controller shall transfer \$42,000 from the Inland
23 Fisheries and Wildlife carrying balances account to the
24 Snowmobile Enforcement Fund established under the Maine Revised
25 Statutes, Title 12, section 7824-G. Notwithstanding Title 12,
26 section 7824-G, funds transferred under this section may be used
27 by the Bureau of Warden Service only to reimburse the warden
28 service for snowmobile enforcement expenditures by the warden
29 service that were in excess of the amount budgeted by the warden
30 service for snowmobile enforcement in fiscal year 1996-97. If,
31 after June 1, 1997, the Commissioner of Inland Fisheries and
32 Wildlife and the State Controller agree that the amount
33 transferred under this section is not sufficient to fully
34 reimburse the warden service for those expenditures, the State
35 Controller shall transfer by June 30, 1997 those additional funds
36 identified by the commissioner and the controller as necessary to
37 fully reimburse the warden service for those costs.

38 **Emergency clause.** In view of the emergency cited in the
39 preamble, this Act takes effect when approved.

42 SUMMARY

44 This bill creates the Snowmobile Enforcement Fund in the
45 Department of Inland Fisheries and Wildlife and requires that a
46 certain amount of each resident and nonresident snowmobile
47 registration fee collected by the department is credited to that
48 fund. Resident snowmobile registration fees are increased from
49 \$20 to \$25 per year. The nonresident snowmobile registration fee
50

2 is not increased. The money in the fund supplements other
3 appropriations to the Bureau of Warden Service for snowmobile
4 enforcement, safety and educational purposes related to
5 snowmobiles.

6
7 The bill requires a one-time transfer of \$42,000 from the
8 department's carrying balances account to reimburse the warden
9 service for snowmobile enforcement expenditures that were in
10 excess of the amount budgeted by the warden service for those
11 purposes in fiscal year 1996-97. If that amount is not
12 sufficient to fully reimburse the warden service for those costs,
13 the bill authorizes the State Controller to transfer additional
14 money from the carrying balances account as necessary to fully
15 reimburse the warden service.

16
17 This bill also requires the department to budget for
18 snowmobile enforcement activities at a level that is not less
19 than the average snowmobile enforcement operations program
20 expenditures in the previous 2 fiscal years.