

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-1012)
107TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 2022, L.D. 2201, Bill, "AN ACT to Establish a Division of Travel Information."

Amend said Bill by striking out all of section 2 and inserting in place thereof the following:

'Sec. 2. 5 MRSA §7002, sub-§2, ¶F, as enacted by PL 1975, c. 481, §3, is repealed and the following enacted in place thereof:

F. The director shall, through the Division of Travel Information, develop policy and planning as will meet the present and future needs of the vacation-travel industry; implement a program designed to promote and develop vacation travel and to attract visitors to the State and expand existing vacation-travel activities within and outside the State and coordinate vacation-travel activities between the private and public sector whenever feasible. The director shall authorize such expenditures as may be necessary to fulfill the purposes of the Division of Travel Information.'

Further amend said Bill by striking out all of sections 3 - 8 and inserting in place thereof the following:

'Sec. 3. 5 MRSA §7002, sub-§3, is enacted to read:

3. Division of Travel Information.

Establishment.

A. There is established to carry out the purposes of this subsection

7 a Division of Travel Information, hereafter in this chapter called "division," within the State Development Office, which shall be directly responsible to the Director

of the State Development Office.

B. Travel Information Chief.

(1) Director,

✓ The executive head of the division shall be appointed by the director after consultation with the Vacation-Travel Advisory Council. The chief shall be appointed for a term coterminous with that of the director, subject to removal for cause by the director. The chief shall be paid a salary fixed by the director, subject to the approval of the State Personnel Board.

(2) Powers and duties. The chief shall have the following powers and duties:

(a) Subject to the State Personnel Law, to appoint and remove the staff of the division and prescribe their duties as may be necessary to implement the purposes of this subsection
In all other respects, the employees of the division shall be subject to the State Personnel Law;

(b) To employ or engage such outside technical or professional consultants as may be necessary or appropriate to assist the division in carrying out its functions. He may enter into contracts with other boards, commissions, departments and divisions of the State, the University of Maine or with the State of Maine Publicity Bureau to assist him in carrying out his duties under this subsection;

(c) To develop policy and planning as will meet the present and future needs of the vacation-travel industry; implement a program designed to promote and develop vacation travel and to attract visitors to the State; expand existing vacation-travel activities within and outside the State, including, but not limited to, information centers; coordinate vacation-travel activities between the public and private sectors, including assistance to local communities and regions in their development efforts; extend technical assistance to new and existing vacation-travel related industries seeking expansion within the State; utilize trade missions, exhibits, brochures, technical assistance and expertise as may be necessary to develop and promote vacation travel; and prepare and print, or have printed, such brochures, pamphlets, books, booklets, films, photos, maps, exhibits, all like materials and media advertising as may be deemed necessary to the division's activities;

(d) To accept for the State any federal funds appropriated under any federal law relating to the authorized program of the division and to do such acts as are necessary for the purposes of carrying out such federal law; and to accept from any other agency of government, individual, group or corporation, such funds as may be available to carry out this subsection, including such fees as the director may designate for books, booklets, brochures, pamphlets, films, photos, maps, exhibits, all like materials and all media

advertising. The Commissioner of Transportation is authorized and directed to do such acts as are necessary to assist the chief in seeking, obtaining and using such federal funds relating to the authorized programs of the division; and

(e) Subject to the approval of the director,^{to} authorize such expenditures as may be necessary to fulfill the purposes of the division.

The several officers, boards, commissions, departments and divisions of the State and city and town officials may consult with the division and furnish or make available to it data and information within their knowledge or control.

(C) Vacation-Travel Advisory Council. A Vacation-Travel Advisory Council shall be appointed by the Governor to review, advise, recommend and guide the division's operation. It shall consist of 8 members who shall serve for a term of 3 years provided that of the members first appointed, 2 shall be appointed for a term of one year, 3 for a term of 2 years and 3 for a term of 3 years. Not more than one member shall come from any one county. A vacancy in office of a member, other than by expiration, shall be filled in like manner as an original appointment, but only for the term of the retiring member. Members may be removed by the Governor for cause. The council shall meet at least 4 times a year and not more than 12 times a year at the call of the chairman or at the request of 3 members of the advisory council. Members shall serve without pay and shall be reimbursed for actual expenses, not to exceed \$25 a day.

D. State of Maine Publicity Bureau. The State of Maine Publicity Bureau shall operate the Maine information centers. In planning, establishing and supporting such centers/ subsequent to establishment, the director, chief and State of Maine Publicity Bureau shall give first priority to centers located at or near the major border points of access to the State of Maine used by vacationers and travelers, as indicated by traffic flow surveys and other evidence.

It is the intent of the Legislature that the State of Maine Publicity Bureau be employed on a contractual agreement by the division to assist in the coordination of the vacation-travel activities of the private and public sector, including but not limited to publications, mailings and information centers. As part of the contract, the State of Maine Publicity Bureau shall not solicit membership fees or dues from cities, towns or counties throughout the State.

E Maine Hospitality Fund.

(1) Definition. To provide funds for the operation of the division, there is established a fund to be known as the Maine Hospitality Fund. The fund shall include all revenues received from hospitality fees as provided in Title 36. section 4821. Unexpended balances of the Maine Hospitality Fund shall be deemed nonlapsing carrying accounts.

(2) Limitations on use. Revenues credited to the Maine Hospitality Fund shall not be expended for any purpose other than to support the operations of the Division of Travel Information and the division in turn shall not cause these funds to be expended for any purpose other than as specified in this subsection. The State Development Office is authorized to establish activity accounts as needed for the effective fiscal management of moneys in the Maine Hospitality Fund. Moneys in the Maine Hospitality Fund may be transferred between the division's accounts but not to the State Development Office's other accounts.

(3) Submission of budget for legislative information. Not later than the close of the 2nd week of the first and 2nd regular session of the Legislature, the director shall approve and submit a budget to the Legislature to provide to the Legislature information on the programs and financing of the division. Such budget shall include, for the current, past and next fiscal years of the division, the following:

(a) Revenues. Actual and estimated amounts of all revenues available to the division by sources;

(b) Expenditures. Actual and estimated amounts of expenditures, shown by object of expenditure and by program; and

(c) Program information. A list of division programs and the objectives of each and a description and evaluation of activities to attain such objectives.

(4) Budgets. ^{there} As part of such budget, shall be separate budgets for each contract entered into or expected to be entered into for the current, past and next fiscal years of the division, showing for each contract:

(a) Contractor. The name and address of each contractor and subcontractor. For contracts not yet entered into, a description of the nature of the contractor or subcontractor's business and the services to be provided by each may be substituted if the names and addresses are not known;

(b) Description. A description of the terms of each contract, including a description of services to be provided, indicating when they are to be performed and to whom the final product or services have been or will be provided; and

(c) Financing. A listing of the total amount to be paid under the contract and the times and conditions of payment.

Sec. 4. 36 MRSA c. 719 is enacted to read:

CHAPTER 719

HOSPITALITY FEE

§4821. Hospitality fee

1. Rental of a bedroom in hotel or rooming house. There is imposed on any person who rents a bedroom in any hotel or rooming house, as defined in chapter 211, a hospitality fee at the rate of 50¢ per bedroom for every day of occupancy.

2. Rental of a camping area site. There is imposed on any person who rents a site in any camping area, as defined in Title 22, section 2491, a hospitality fee at the rate of 25¢ per site for every day of occupancy.

3. Hospitality fee not subject to sales tax. The hospitality fee shall not be subject to the sales tax assessed under chapter 213.

4. Continuous residency. The hospitality fee shall not apply to any person who resides continuously for 28 days at any one hotel, rooming house or camping area site. Fees paid by such person to

the retailer during the initial 28-day period shall be refunded by the retailer. Such fee reported and paid to the State by the retailer may be taken as a credit by the retailer for the month in which refund was made to the tenant.

5. Use of hospitality fee revenue. The State Tax Assessor shall distribute all revenues received under this chapter as follows: ~~an amount not to exceed \$47,572 shall be available to the Bureau of Taxation for administration of this chapter; all additional revenue, not to exceed \$1,500,000, shall be credited to the Maine Hospitality Fund as provided in Title 5, section 7002;~~^{and} ~~all revenues not available to the Bureau of Taxation or credited to the Maine Hospitality Fund shall revert to the General Fund.~~

6. Rules and regulations. The State Tax Assessor may promulgate rules and regulations for the administration of the fee established by this chapter. If the State Tax Assessor fails to promulgate such rules and regulations, the administrative provisions of chapters 211 to 225 shall apply to this chapter.

Sec. 5. Equipment transferred. All assets, promotional displays, equipment and other related capital equipment of the State Development Office, including all properties formerly belonging to the Promotion Division of the Department of Commerce and Industry, shall be transferred to the Division of Travel Information.

Further amend said Bill by striking out all of the emergency clause and inserting in place thereof the following:

'Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect upon approval, except section 4, which shall take effect July 1, 1976.'

Statement of Fact
amendment

It is estimated that this / will generate approximately \$1,500,000 annually. Two new positions will be created within the division, a director and one secretary. Any amount contracted to the State of Maine Publicity Bureau will be coordinated with the bureau's revenues to avoid duplication of effort on behalf of the private and public sectors for the vacation-travel industry. The bureau will not solicit or receive dues or membership fees from towns, cities and counties. A projected budget for the division is:

Division Operating Expenses	\$ 75,000
*Operation of Information Centers	75,000
Building Fund(Future Information Centers)	40,000
Contingency	40,000
Advertising and Promotion	900,000
*Publications	250,000
*Postage and Services	120,000

\$1,500,000	

*Contracted services to State of Maine Publicity Bureau.

The purpose of this amendment is to:

1. Establish a Division of Travel Information within the

State Development Office;

2. Provide financing through a hospitality fee of 50¢ per room per day for transient lodging facilities and 25¢ per site per day for camping facilities. The revenues received are to be used as follows: \$47,572 available to the Bureau of Taxation for administration of the fee, not to exceed \$1.5 million available to the Division of Travel Information and the remainder to revert to the General Fund; and
3. Provide administrative and financing safeguards for the new program.

Reported by the Majority of the Committee on State Government.

Reproduced and distributed under the direction of the Clerk of the House.
3/22/76

(Filing No. H-1012)