

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1932

H. P. 1828

House of Representatives, February 12, 1980

Reported by Mr. Dow from the Joint Select Committee on Fisheries and Wildlife pursuant to Joint Order H. P. 1517 and ordered printed under Joint Rules No. 17.

EDWIN H. PERT, Clerk of the House

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

**AN ACT to Eliminate Dedicated Revenues for the Department of Fisheries and Wildlife.**

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

**Sec. 1.** 5 MRSA § 135, 6th sentence, as amended by PL 1975, c. 497, § 3, is repealed.

**Sec. 2.** 12 MRSA § 7034, sub-§ 8 is enacted to read:

**8. Preparation of budget and contracts.** The commissioner shall prepare a biennial budget and shall submit to the Legislature requests for appropriations sufficient to carry out its assigned tasks. This budget shall include a description of all revenues collected from the sale of licenses and permits under chapter 707.

**Sec. 3.** 12 MRSA § 7035, sub-§ 4, ¶ C, as enacted by PL 1979, c. 420, § 1, is repealed.

**Sec. 4.** 12 MRSA § 7035, sub-§ 7, 2nd sentence, as enacted by PL 1979, c. 420, § 1 is amended to read:

He shall transmit all moneys received by the sales forthwith to the Treasurer of State to be credited to the ~~department~~ **General Fund**.

**Sec. 5.** 12 MRSA § 7035, sub-§ 8, as enacted by PL 1979, c. 420, § 1, is amended by adding at the end the following new sentence:

**Proceeds from these sales shall be credited to the General Fund.**

**Sec. 6. 12 MRSA § 7035, sub-§ 9, 2nd sentence as enacted by PL 1979, c. 420, § 1, is amended to read:**

The proceeds from these sales shall be credited to the ~~funds of the department~~  
**General Fund.**

**Sec. 7. 12 MRSA § 7037 is enacted to read:**

**§ 7037. Prohibition against diversion of funds**

**The Legislature shall provide sufficient appropriations to the department so that an amount equal to the revenues reported under section 7074 is used for the following purposes:**

- A. The administration of the department;**
- B. The protection, propagation, preservation and investigation of fish and wildlife;**
- C. Conservation education; and**
- D. Other expenses incident to the administration of these functions.**

**Sec. 8. 12 MRSA § 7074, as enacted by PL 1979, c. 420, § 1 is repealed and the following enacted in its place:**

**§ 7074. Use of license and permit fees**

**1. Agent's duties. Each agent shall forward to the commissioner, on or before the 15th day of each calendar month, all of the funds collected by him during the previous month, together with a list of the persons and the kind of license or permit issued to them.**

**2. Deposit. The commissioner shall deposit these funds in the State Treasury and credit them to the General Fund.**

**3. Report. The commissioner shall report annually to the Legislature the total revenue derived from the sale of licenses and permits under this chapter.**

**Sec. 9. 12 MRSA § 7800, as enacted by PL 1979, c. 420, § 1 is repealed and the following enacted in its place:**

**§ 7800. Disposition of revenues**

**All revenues collected under this subchapter are disposed of as follows.**

**1. Fees collected. All fees collected for certificates, licenses and permits by the commissioner are paid daily to the Treasury of State and accrue to the General Fund.**

**2. Fines and costs collected. Each county shall pay all fines, forfeitures and penalties collected for violations of this subchapter and all officers' costs**

collected for either coastal wardens or game wardens to the Treasurer of State, monthly, and all of them shall accrue to the General Fund.

Sec. 10. 12 MRSA § 7824, sub-§ 3, ¶ A, sub-¶ (1), as enacted by PL 1979, c. 420, § 1, is amended to read:

(1) \$4.75 of each fee shall be credited to the ~~department~~ **General Fund**;

Sec. 11. 12 MRSA § 7824, sub-§ 3, ¶ B, sub-¶ (1), as enacted by PL 1979, c. 420, § 1, is amended to read:

(1) \$10.75 of each fee shall be credited to the ~~department~~ **General Fund**; and

Sec. 12. 12 MRSA § 7824, sub-§ 3, ¶ C, as enacted by PL 1979, c. 420, § 1, is amended to read:

C. All other moneys received under this subchapter, including dealer license fees, shall be credited to the ~~department~~ **General Fund**.

Sec. 13. 12 MRSA § 7824, sub-§ 4, ¶ A, as enacted by PL 1979, c. 420, § 1 is repealed.

Sec. 14. 12 MRSA § 7910, sub-§ 1, first sentence, as enacted by PL 1979, c. 420, § 1, is amended to read:

The following moneys shall be paid to the Treasurer of State and credited to ~~apportioned by and expended by the department for the purpose of conducting the business of the department as provided by the Legislature~~ **the General Fund**:

Sec. 15. 12 MRSA § 7910, sub-§ 2, as enacted by PL 1979, c. 420, § 1 is repealed.

#### STATEMENT OF FACT

This bill eliminates dedicated revenues for the Department of Inland Fisheries and Wildlife. It also deletes the dedicated snowmobile and watercraft funds. The commissioner is required to submit a budget for the operation of the department, and the majority of the revenue will come from the General Fund. There is a provision requiring an amount at least equal to revenues from hunting and fishing licenses to be appropriated for fish and wildlife management and administration. This will ensure the eligibility of the state for matching federal grants.