

MAINE STATE LEGISLATURE

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(New Draft of S.P. 122, L.D. 298)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document No. 1151

S.P. 380 In Senate, March 10, 1983

Reported by the Majority from the Committee on Taxation and printed under Joint Rule 2.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-THREE

**AN ACT to Provide an Income Tax Checkoff
for Voluntary Support of Nongame Wildlife
Management.**

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

Sec. 1. 5 MRSA §1664, last ¶, as amended by PL 1981, c. 444, §1, is further amended to read:

Part 3 shall embrace complete drafts or summaries of the budget bills, the legislative measures required to give legal sanction to the financial plan when adopted by the Legislature. These bills shall include General Fund appropriation bills and allocation bills for the following: Highway Fund, Inland Fisheries and Wildlife Fund, Federal Revenue Sharing Fund, Coastal Protection Fund, Maine Nuclear Emer-

1 agency Planning Fund, Maine Endangered and Nongame
2 Wildlife Fund and for the administrative expenses of
3 the Bureau of Alcoholic Beverages and the State Liquor
4 Commission, authorizing expenditures for each
5 fiscal year of the ensuing biennium and such other
6 bills as may be required to provide the income neces-
7 sary to finance the budget.

8 Sec. 2. 12 MRSA §7757 is enacted to read:

9 §7757. Maine Endangered and Nongame Wildlife Fund

10 1. Establishment. There is established the
11 Maine Endangered and Nongame Wildlife Fund. It shall
12 receive money deposited by the Treasurer of State
13 pursuant to Title 36, section 5284. All money depos-
14 ited in the fund, and the earnings thereon, shall
15 remain in the fund to be used for the management of
16 nongame wildlife and for necessary administrative and
17 personnel costs associated therewith, and shall not
18 be deposited in the General Fund or any other fund,
19 except as specifically provided by statute.

20 2. Report and allocation. The Commissioner of
21 Inland Fisheries and Wildlife shall include a report
22 on the Maine Endangered and Nongame Wildlife Fund as
23 part of the report submitted to the Governor pursuant
24 to section 7034. The commissioner shall submit a
25 budget for each biennium in accordance with Title 5,
26 sections 1663 to 1666. The State Controller shall
27 authorize expenditures from the fund as approved by
28 the commissioner.

29 3. Grants. Any person, organization or agency
30 of the State may apply to the Department of Inland
31 Fisheries and Wildlife for a grant to undertake
32 research and nongame wildlife management activities.
33 The department may award grants out of the Maine
34 Endangered and Nongame Wildlife Fund. For the pur-
35 poses of this section, "nongame wildlife" includes
36 all unconfined terrestrial, freshwater and saltwater
37 species which are not ordinarily collected, captured
38 or killed for sport or profit.

39 Sec. 3. 36 MRSA §5284 is enacted to read:

40 §5284. Nongame wildlife voluntary checkoff

1 The Maine Endangered and Nongame Wildlife Fund
2 will be used by the Department of Inland Fisheries
3 and Wildlife for research and management of nongame
4 wildlife. It is intended that the term "management
5 of nongame wildlife" include enforcement of laws
6 enacted to protect nongame species and activities
7 undertaken pursuant to Title 12, chapter 713, sub-
8 chapter V, endangered species. Any start-up costs
9 incurred by the department in anticipation of imple-
10 menting this program may be reimbursed from the fund.

11 Twenty states now have nongame checkoffs on their
12 income tax forms. Experience in these states has
13 shown that a large number of taxpayers are willing to
14 donate funds for nongame management. This new draft
15 reorganizes the provisions of the original bill for
16 proper allocation to the statutes. It changes the
17 definition of "nongame wildlife" to make it clear
18 that marine species are included. It also permits
19 the General Fund to retain the costs of the State Tax
20 Assessor in administering the checkoff provision up
21 to \$5,000 annually.

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