

MAINE STATE LEGISLATURE

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(After Deadline)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1365

H.P. 1040

House of Representatives, March 29, 1983

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Referred to the Committee on Taxation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Paul of Sanford.

Cosponsors: Senator Usher of Cumberland and Representative Masterman of Milo.

STATE OF MAINE

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

AN ACT to Provide a Sportsman's
Income Tax Checkoff for Voluntary
Support of Fish and Game 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 Emergency Planning Fund, Maine Fish and Game Fund and for

1 the administrative expenses of the Bureau of Alco-
2 holic Beverages and the State Liquor Commission,
3 authorizing expenditures for each fiscal year of the
4 ensuing biennium and such other bills as may be re-
5 quired to provide the income necessary to finance the
6 budget.

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

8 §7757. Maine Fish and Game Fund

9 1. Establishment. There is established the
10 Maine Fish and Game Fund. It shall receive money
11 deposited by the Treasurer of State, pursuant to
12 Title 36, section 5284. All money deposited in the
13 fund, and the earnings thereon, shall remain in the
14 fund to be used for the management of fish and game,
15 and for necessary administrative and personnel costs
16 associated therewith, and shall not be deposited in
17 the General Fund or any other fund, except as spe-
18 cifically provided by statute.

19 2. Report and allocation. The Commissioner of
20 Inland Fisheries and Wildlife shall include a report
21 on the Maine Fish and Game Fund as part of the report
22 submitted to the Governor, pursuant to section 7034.
23 The commissioner shall submit a budget for each bien-
24 niun in accordance with Title 5, sections 1663 to
25 1666. The State Controller shall authorize expendi-
26 tures from the fund as approved by the commissioner.

27 3. Work program. The Commissioner of Inland
28 Fisheries and Wildlife shall submit a work program
29 for each fiscal year and semiannual progress reports
30 to the joint standing committee of the Legislature
31 having jurisdiction over inland fisheries and wild-
32 life. None of the money provided in this section may
33 be expended unless the commissioner has approved the
34 work program.

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

36 §5284. Fish and game voluntary checkoff

37 1. Maine Fish and Game Fund. Taxpayers who when
38 filing their return are entitled to a refund under
39 this Part may designate any part of that refund be

1 paid into the Maine Fish and Game Fund established in
2 Title 12, section 7757. Each individual income tax
3 return form shall contain a designation in substan-
4 tially the following form: "Contribution to Maine
5 Fish and Game Fund: () \$1, () \$5, () \$10 or
6 () Other \$."

7 2. Contributions credited to Maine Fish and Game
8 Fund. The State Tax Assessor shall determine annu-
9 ally the total amount contributed pursuant to subsec-
10 tion 1. Prior to the beginning of the next year, he
11 shall deduct the cost of administering the nongame
12 and fish and game checkoff, but not exceeding \$5,000
13 annually, and report the remainder to the Treasurer
14 of State, who shall credit that amount to the Maine
15 Fish and Game Fund, which is established in Title 12,
16 section 7757.

17 Sec. 4. Application. This Act shall apply to
18 income tax returns filed on or after January 1, 1984.

19 STATEMENT OF FACT

20 The Department of Inland Fisheries and Wildlife
21 is charged by law with the authority and responsibil-
22 ity for the management of all of the state's fish and
23 game wildlife resources.

24 This bill permits individuals filing Maine income
25 tax returns to make contributions through a voluntary
26 checkoff to a fund designated for management of the
27 fish and game species of the State.

28 The Maine Fish and Game Fund will be used by the
29 Department of Inland Fisheries and Wildlife for
30 research and management of fish and game. It is
31 intended that the term "management of fish and game"
32 include enforcement of laws. Any start-up costs
33 incurred by the department in anticipation of imple-
34 menting this program may be reimbursed from the fund.

35 Twenty states now have nongame checkoffs on their
36 income tax forms. Experience in these states has
37 shown that a large number of taxpayers are willing to
38 donate funds for nongame management. It is felt that
39 many active and nonactive hunters, fishermen,

1 trappers etc. would be willing to donate to a fish
2 and game fund for the management of fish and game
3 resources of this State. This bill permits donations
4 to support both inland and marine species of fish and
5 game.

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