

MAINE STATE LEGISLATURE

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(EMERGENCY)

SECOND REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 2143

H.P. 1628

House of Representatives, March 2, 1984

Reported by Representative Rolde from the Committee on Audit and Program Review and ordered printed under Joint Rule 18.

Submitted pursuant to the Revised Statutes, Title 3, chapter 23.

EDWIN H. PERT, Clerk

STATE OF MAINE

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

**AN ACT to Increase Legislative Oversight of
the Fiscal Affairs of the Department of Inland
Fisheries and Wildlife.**

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

Whereas, the Department of Inland Fisheries and Wildlife foresees revenues insufficient to meet its expenditures in the near future; and

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

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

1 Sec. 1. 12 MRSA c. 702 is enacted to read:

2 CHAPTER 702

3 DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

4 §7011. Department funds

5 1. Line-item budget. All funds of the department
6 shall be allocated by the Legislature, in the same
7 manner as are appropriations from the General Fund,
8 in a gross unified budget and shall be subject to the
9 transfer provisions of Title 5, section 1585.

10 2. Unencumbered balances. Any unencumbered allo-
11 cated balances, including existing balances, shall be
12 carried forward into the next fiscal year and shall
13 not be expended without allocation by the Legisla-
14 ture.

15 3. Revenues. Actual revenues received in excess
16 of that estimated and allocated by the Legislature
17 shall not be expended without allocation by the Leg-
18 islature.

19 4. Cash reserve. The department shall maintain
20 as practical a cash reserve for the purpose of ensur-
21 ing an adequate cash flow.

22 5. Bond issue. The department shall submit to
23 the joint standing committee of the Legislature hav-
24 ing jurisdiction over inland fisheries and wildlife
25 plans for a bond issue prior to submission of the
26 bond issue to the full Legislature.

27 Sec. 2. 12 MRSA §7035, sub-§4, ¶B, as repealed
28 and replaced by PL 1981, c. 641, §1, is amended to
29 read:

30 B. The expenses of the department in search and
31 rescue efforts shall be ~~paid~~ reimbursed in full
32 from the General Fund.

33 Sec. 3. 12 MRSA §7035, sub-§9, as enacted by PL
34 1979, c. 420, §1, is amended to read:

1 9. Unneeded property. The Governor, on recommen-
2 dation of the commissioner, may sell and convey in
3 behalf of the State the interests of the State in
4 property taken or acquired by purchase under chapters
5 701 to 721 and deemed no longer necessary for the
6 purposes of those chapters. The commissioner, with
7 the approval of the Governor, may lease these same
8 properties. The proceeds from these sales or leases
9 shall be credited to the funds of the department.

10 Sec. 4. 12 MRSA §7074, sub-§4, as enacted by PL
11 1979, c. 420, §1, is repealed.

12 Sec. 5. 12 MRSA §7757, sub-§2, as enacted by PL
13 1983, c. 526, §2, is amended to read:

14 2. Report and allocation. The Commissioner of
15 Inland Fisheries and Wildlife shall include a report
16 on the Maine Endangered and Nongame Wildlife Fund as
17 part of the report submitted to the Governor pursuant
18 to section 7034. ~~The commissioner shall submit a~~
19 ~~budget for each biennium in accordance with Title 5,~~
20 ~~sections 1663 to 1666.~~ The State Controller shall
21 authorize expenditures from the fund as approved by
22 the commissioner allocated by the Legislature.

23 Sec. 6. 12 MRSA §7910, sub-§2, as enacted by PL
24 1979, c. 420, §1, is repealed.

25 Emergency clause. In view of the emergency cited
26 in the preamble, this Act shall take effect when ap-
27 proved.

28 STATEMENT OF FACT

29 Section 1 increases legislative control of the
30 budget of the Department of Inland Fisheries and
31 Wildlife.

32 Section 2 provides that the General Fund shall
33 reimburse in full the Department of Inland Fisheries
34 and Wildlife for expenses incurred in search and res-
35 cue efforts.

36 Section 3 allows the Commissioner of Inland Fish-
37 eries and Wildlife to lease, as well as sell, un-
38 needed property.

1 Sections 4, 5 and 6 remove language automatically
2 allocating various revenues in the Department of In-
3 land Fisheries and Wildlife.

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