

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

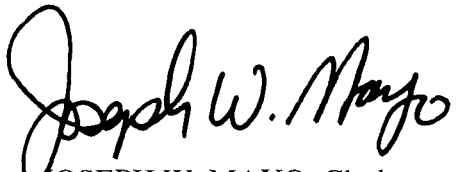
No. 1119

H.P. 802

House of Representatives, March 30, 1995

An Act to Increase the Formula Used for ATV's and Snowmobile Reimbursement.

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative CLARK of Millinocket.
Cosponsored by Representative JACQUES of Waterville and
Representatives: AHEARNE of Madawaska, BAILEY of Township 27, CLUKEY of Houlton,
CROSS of Dover-Foxcroft, DAMREN of Belgrade, DESMOND of Mapleton, DEXTER of
Kingfield, DiPIETRO of South Portland, DONNELLY of Presque Isle, DRISCOLL of Calais,
GOULD of Greenville, GWADOSKY of Fairfield, HATCH of Skowhegan, KEANE of Old
Town, KNEELAND of Easton, MARTIN of Eagle Lake, MORRISON of Bangor, O'NEAL of
Limestone, POVICH of Ellsworth, REED of Dexter, ROTONDI of Madison, WHEELER of
Bridgewater, WINN of Glenburn, YACKOBITZ of Hermon, Senators: BEGLEY of Lincoln,
BENOIT of Franklin, CASSIDY of Washington, FERGUSON of Oxford, HALL of
Piscataquis, KIEFFER of Aroostook, O'DEA of Penobscot, PARADIS of Aroostook, RAND
of Cumberland, RUHLIN of Penobscot, STEVENS of Androscoggin.

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

Sec. 1. 36 MRSA §2903-B, as amended by PL 1987, c. 772, §28, is further amended to read:

§2903-B. Finding of fact

The Legislature hereby makes a finding of fact that the percentage relationship of "gasoline tax" paid by that segment of the nonhighway gasoline user, the snowmobile user, is not less than ~~+.5%~~ .75% of the total "gasoline tax" revenue, but certainly is more than the ~~+.5%~~ .75% referred to. Based on this legislative "finding of fact" there is set aside ~~+.5%~~ .75%, not to exceed \$895,000, of the total excise tax on internal combustion engine fuel sold or used within the State, but not including internal combustion fuel sold for use in the propulsion of aircraft. From this ~~+.5%~~ .75% allocation, 10% shall must be paid to the Treasurer of State to be made available to the Department of Inland Fisheries and Wildlife; this money is to be expended for the purpose set forth in Title 12, section 7824. The remaining 90% of the ~~+.5%-shall~~ .75% must be credited to the Snowmobile Trail Fund of the Bureau of Parks and Recreation, established under Title 12, section 7824. The State Tax Assessor shall certify to the State Controller by the 15th day of each month the amounts to be credited under this section as of the close of the State Controller's records for the previous month.

Sec. 2. 36 MRSA §2903-C is enacted to read:

§2903-C. Finding of fact

The Legislature makes a finding of fact that the percentage relationship of "gasoline tax" paid by that segment of the nonhighway gasoline user, the all-terrain vehicle user, is estimated to be not less than .25% of the total "gasoline tax" revenue. Based on this estimate, there is set aside .25% of the total excise tax, not to exceed \$300,000, on internal combustion engine fuel sold within this State, not including internal combustion fuel sold for use in the propulsion of aircraft. This .25% allocation must be expended for the purposes required by Title 12, section 7854, subsection 4, paragraph B. The State Tax Assessor shall certify to the State Controller by the 15th day of each month the amounts to be credited under this section as of the close of the State Controller's records for the previous month.

Sec. 3. Allocation. The following funds are allocated from tax revenues on internal combustion engine fuel to carry out the purposes of this Act.

	1995-96	1996-97
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CONSERVATION, DEPARTMENT OF
Bureau of Parks and Recreation
Snowmobile Trail Fund

Positions	(0.5)	(0.5)
Personal Services	\$16,000	\$17,000
All Other	250,463	249,463
TOTAL	\$266,463	\$266,463

Provides funds for a
 part-time Clerk Typist II
 position and the upgrade of a
 Clerk Typist III position and
 provides funds to be granted
 to snowmobile clubs and
 municipalities for the
 development and maintenance
 of snowmobile trails.

ATV Recreational Management Fund

All Other	\$276,070	\$276,070
Capital Expenditures	20,000	20,000
TOTAL	\$296,070	\$296,070

Provides funds for
 development of all-terrain
 vehicle trails, grants and
 technical assistance to
 correct problems caused by
 uncontrolled all-terrain
 vehicle use and grants to
 clubs and municipalities for
 the development of
 all-terrain vehicle trails
 and the development of
 multiple use rail trails.

DEPARTMENT OF CONSERVATION
TOTAL

	\$562,533	\$562,533
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STATEMENT OF FACT

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4 This bill increases the percentage of gasoline tax available
6 to the Bureau of Parks and Recreation's Snowmobile Trail Fund and
8 to the Department of Inland Fisheries and Wildlife from .5% to
10 .75% of the total excise tax on internal combustion engine fuel
12 sold within the State, not including internal combustion engine
14 fuel used in the propulsion of aircraft. Currently, snowmobile
16 operators pay the gasoline tax but do not receive full benefits
18 for the gas tax payments. The increased funds will be used to
20 provide additional grants to snowmobile clubs and municipalities
22 for the development and maintenance of snowmobile trails. This
24 increase also will provide additional revenue of approximately
26 \$29,600 in each year of the biennium to the Department of Inland
28 Fisheries and Wildlife's General Fund account to administer law
30 enforcement, registration and safety training programs. The
32 total gas tax funds transferred to the Bureau of Parks and
34 Recreation and the Department of Inland Fisheries and Wildlife
36 may not exceed \$895,000 per year.

2 This bill allocates .25% of the total excise tax on internal
4 combustion engine fuel sold or used within the State, not
6 including internal combustion fuel sold for use in the propulsion
8 of aircraft, to the ATV Recreational Management Fund administered
10 by the Bureau of Parks and Recreation. Currently, ATV users pay
12 the gasoline tax but do not receive direct benefits from the tax.

2 Funding from the gasoline tax will allow the Bureau of Parks
4 and Recreation's ATV program to: acquire and develop safe ATV
6 trails; provide grants and technical assistance to correct
8 problems caused by trespass and uncontrolled ATV use; provide
10 grants to clubs and municipalities for the development of ATV
12 trails; and provide funds for the development of multiple use
14 trails open to ATV's on abandoned railroad rights-of-way. The
16 total gas tax funds transferred to the Bureau of Parks and
18 Recreation may not exceed \$300,000 per year.