

MAINE STATE LEGISLATURE

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M
R. of S.

L.D. 2081

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DATE: 4/1/02

(Filing No. H-1054)

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INLAND FISHERIES AND WILDLIFE

10 Reproduced and distributed under the direction of the Clerk of
12 the House.

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION**

18
20 COMMITTEE AMENDMENT "A" to H.P. 1575, L.D. 2081, Bill, "An
22 Act to Implement the Unanimous and the Majority Recommendations
24 of the Commission to Study Equity in the Distribution of Gas Tax
Revenues Attributable to Snowmobiles, All-terrain Vehicles and
Watercraft"

26 Amend the bill by striking out all of sections 4, 5 and 6.

28 Further amend the bill by striking out all of section 10 and
inserting in its place the following:

30 'Sec. 10. 36 MRSA §2903-D is enacted to read:

32 **§2903-D. Distribution of gasoline taxes for nonhighway
recreational vehicle programs**

34
36 This section establishes the percentage of gasoline taxes
38 that are attributable to snowmobile, all-terrain vehicle and
40 motorboat gasoline purchases and equitably distributes that
42 percentage among the appropriate state agencies for the
44 administration of programs and the enforcement of laws relating
to the use of those recreational vehicles. For the purposes of
this section, the term "total gasoline tax revenues" means 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.

46 1. Motorboats. Of total gasoline tax revenues, 1.4437% is
48 distributed among the following agencies in the following manner:

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2 A. The Commissioner of Marine Resources receives 24.6% for
3 research, development and propagation activities of the
4 Department of Marine Resources. In expending these funds,
5 it is the responsibility of the Commissioner of Marine
6 Resources to select activities and projects that will be
7 most beneficial to the commercial fisheries of the State as
8 well as the development of sports fisheries activities in
9 the State; and

10 B. The Boating Facilities Fund, established under Title 12,
11 section 1896, within the Department of Conservation, Bureau
12 of Parks and Lands, receives 75.4% of that amount.

13 2. Snowmobiles. Of total gasoline tax revenues, 0.9045% is
14 distributed among the following agencies in the following manner:

15 A. The Commissioner of Inland Fisheries and Wildlife
16 receives 14.93% of that amount, to be used by the
17 commissioner for the purposes set forth in Title 12, section
18 7824; and

19 B. The Snowmobile Trail Fund of the Department of
20 Conservation, Bureau of Parks and Lands, established under
21 Title 12, section 7824, receives 85.07% of that amount.

22 3. All-terrain vehicles. Of total gasoline tax revenues,
23 0.1525% is distributed among the following agencies in the
24 following manner:

25 A. The Commissioner of Inland Fisheries and Wildlife
26 receives 50% of that amount; and

27 B. The ATV Recreational Management Fund, established in
28 Title 12, section 7854, subsection 4, paragraph B, receives
29 50% of that amount.

30 The State Tax Assessor shall certify to the State Controller by
31 the 15th day of each month the amounts to be distributed and
32 credited under this section as of the close of the State
33 Controller's records for the previous month.'

34 Further amend the bill by inserting after section 12 the
35 following:

36 **'Sec. 13. Estimate of gasoline tax revenue for years starting on July**
37 **1, 2003 to June 30, 2005.** For purposes of calculating the percentage
38 of gasoline tax revenue attributable to motorboats, snowmobiles
39 and all-terrain vehicles pursuant to the Maine Revised Statutes,

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2 Title 36, section 2903-D for years starting on July 1, 2003 to
3 June 30, 2005, the total gasoline tax revenue used is
4 \$150,400,000.

6 **Sec. 14. Effective date.** This Act takes effect July 1, 2003.'

8 Further amend the bill by relettering or renumbering any
9 nonconsecutive Part letter or section number to read
10 consecutively.

12 Further amend the bill by inserting at the end before the
13 summary the following:

14 **'FISCAL NOTE**

16 The redistribution of certain gasoline tax revenues
17 associated with the use of snowmobiles and all-terrain vehicles
18 will increase annual General Fund revenue collected by the
19 Department of Inland Fisheries and Wildlife by \$241,717 and
20 \$240,961 in fiscal years 2003-04 and 2004-05, respectively. In
21 order to meet the constitutional requirement that the total level
22 of General Fund appropriations must at least be equal to the
23 undedicated revenues collected by the department, the department
24 will require additional General Fund appropriations for the
25 Enforcement Operations - IF&W program.

28 Increasing the amount of gasoline tax revenues that are
29 distributed to the Department of Conservation, the Department of
30 Marine Resources and the Department of Inland Fisheries and
31 Wildlife will decrease the revenues from this source that are
32 available for the Highway Fund by \$750,001 and \$739,955 in fiscal
33 years 2003-04 and 2004-05, respectively.

34 The Bureau of Resource Management within the Department of
35 Marine Resources will require additional Other Special Revenue
36 funds allocations of \$149,481 and \$149,634 in fiscal years
37 2003-04 and 2004-05, respectively, to reflect the additional
38 revenues that the program will receive from the redistribution of
39 gasoline taxes.

42 The Off-road Recreational Vehicles program within the
43 Department of Conservation will require additional Other Special
44 Revenue funds allocations of \$46,230 and \$45,549 in fiscal years
45 2003-04 and 2004-05, respectively, to reflect the additional
46 revenues that the program will receive from the redistribution of
47 gasoline taxes.

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2 The Snowmobile Trail Fund program within the Department of
3 Conservation will require additional Other Special Revenue funds
4 allocations of \$214,061 and \$204,685 in fiscal years 2003-04 and
5 2004-05, respectively, to reflect the additional revenues that
6 the program will receive from the redistribution of gasoline
7 taxes.

8 The Boating Facilities Fund program within the Department of
9 Conservation will require additional Other Special Revenue funds
10 allocations of \$98,512 and \$99,125 in fiscal years 2003-04 and
11 2004-05, respectively, to reflect the additional revenues that
12 the program will receive from the redistribution of gasoline
13 taxes.

14 The Department of Conservation and the Department of Inland
15 Fisheries and Wildlife will incur some minor additional costs to
16 conduct certain needs assessments and to submit required reports
17 to the Legislature. These costs can be absorbed within the
18 departments' existing budgeted resources.

19 The Department of Conservation, the Department of Inland
20 Fisheries and Wildlife and the Department of Marine Resources
21 will incur some minor additional costs to periodically update
22 certain strategic plans and to submit required reports to the
23 Legislature. These costs can be absorbed within the departments'
24 existing budgeted resources.

25 The additional costs associated with certain administrative
26 activities can be absorbed by the Department of Administrative
27 and Financial Services, Bureau of Revenue Services utilizing
28 existing budgeted resources.'

29

30

SUMMARY

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32 This amendment removes the survey requirements and readjusts
33 the percentages of gasoline tax revenue attributable to
34 motorboats, snowmobiles and ATVs to provide a \$750,000 increase
35 over current funding levels for years starting on July 1, 2003 to
36 June 30, 2005. After June 30, 2005, the percentages established
37 in this amendment will be applied to the current total gasoline
38 tax revenue to determine the amount attributable to motorboats,
39 snowmobiles and ATVs. This amendment also removes the
40 requirement that 50% of the ATV gasoline tax revenue increase be
41 used for enforcement purposes and makes this bill effective July
42 1, 2003.

43

44 It also adds a fiscal note to the bill.