

# MAINE STATE LEGISLATURE

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A. 018

L.D. 129

DATE: 5-8-03

(Filing No. S-125)

**INLAND FISHERIES AND WILDLIFE**

Reported by:

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**STATE OF MAINE  
SENATE  
121ST LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 52, L.D. 129, "Resolve, Directing the Department of Inland Fisheries and Wildlife To Conduct a Programmatic Review of the Department's Bureau of Administrative Services"

Amend the resolve by striking out the title and substituting the following:

**'Resolve, Directing the Department of Inland Fisheries and Wildlife To Conduct a Programmatic Review within Certain Areas of the Department'**

Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

**'Emergency preamble. Whereas, Acts and resolves 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 manages the State's vast inland fish and wildlife resources that provide varied and unique outdoor opportunities and form the bedrock of Maine's economy; and**

**Whereas, it is widely recognized that periodic independent reviews of the department are essential to the effective and efficient operation of the department; and**

**Whereas, the department has not undergone an exhaustive departmentwide review in recent history; and**

**COMMITTEE AMENDMENT**

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

**Sec. 1. Contract for assessment of Division of Public Information and Education, Bureau of Warden Service, Bureau of Administrative Services and wildlife management program. Resolved:** That the Commissioner of Inland Fisheries and Wildlife, referred to in this resolve as "the commissioner," shall contract with outside experts to assess, evaluate and recommend improvements in all aspects of the Division of Public Information and Education, Bureau of Warden Service, Bureau of Administrative Services and the State's wildlife management program, referred to in this resolve as "the review areas"; and be it further

**Sec. 2. Procedures to be used. Resolved:** That a contract awarded pursuant to this resolve must be awarded in accordance with applicable state laws, rules and procedures relating to the purchase of services and awarding of contracts. The Department of Inland Fisheries and Wildlife, referred to in this resolve as "the department," shall establish a panel to assist in developing a scope of work and evaluating and selecting a proposal. The panel must include appropriate department staff and up to 5 people representing statewide organizations with an interest in one or more of the review areas; and be it further

**Sec. 3. Scope of work. Resolved:** That the programmatic review required in this resolve must include, but not be limited to: planning and budgeting; staffing levels; personnel leadership and technical skills; applicable laws, rules and policies governing the program; decision-making processes; and resource management and public involvement practices. In addition to a contract specifying that the contractor must assess the department's professional ability to design and carry out an effective Bureau of Administrative Services, Division of Public Information and Education, Bureau of Warden Service and wildlife management program, a contract awarded pursuant to this resolve must include a requirement that the contractor identify members of the public who consider themselves stakeholders and include their feedback in the assessment process; and be it further

**Sec. 4. Funding. Resolved:** That all funding for the work required in this resolve must come solely from non-General Fund sources. The commissioner must secure funding from non-General Fund sources prior to commencing work pursuant to this resolve. The commissioner may accept grants and donations for the work required pursuant to this resolve and expend those funds as

necessary to accomplish the purposes of this resolve. In the event that adequate funds are not secured, the commissioner may at the commissioner's discretion terminate this work; and be it further

**Sec. 5. Report required. Resolved:** That the commissioner shall submit in a single report the work conducted in response to this resolve and any findings and recommendations to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters by January 4, 2005; and be it further

**Sec. 6. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE,  
DEPARTMENT OF**

**Inland Fisheries and Wildlife - Outdoor  
Heritage Fund Grant 0892**

Initiative: Allocates funds for the cost of conducting a required study.

<b>Other Special Revenue Funds</b>	<b>2003-04</b>	<b>2004-05</b>
All Other	\$50,000	\$0
Other Special Revenue Funds Total	\$50,000	\$0

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.'

**SUMMARY**

This amendment replaces the resolve and requires the Commissioner of Inland Fisheries and Wildlife to conduct a programmatic review of the Division of Public Information and Education, Bureau of Warden Service, Bureau of Administrative Services and the State's wildlife management program. The commissioner shall contract with an experienced firm to assess and evaluate these areas of the Department of Inland Fisheries and Wildlife. The amendment also requires the department to fund the review with funding outside the General Fund and requires a report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters by January 4, 2005. Finally, the amendment adds an emergency preamble and emergency clause.

**FISCAL NOTE REQUIRED  
(See attached)**

121st Maine Legislature  
Office of Fiscal and Program Review



LD 129

Resolve, Directing the Department of Inland Fisheries and Wildlife To  
Conduct a Programmatic Review Within Certain Areas of the  
Department

LR 0488(02)

Fiscal Note for Bill as Amended by Committee Amendment *AS-125*

Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

Fiscal Note

		Projections		Projections
	2003-04	2004-05	2005-06	2006-07
<b>Appropriations/Allocations</b>				
Other Special Revenue	\$50,000	\$0	\$0	\$0

Fiscal Detail and Notes

As amended, this bill includes a one-time Other Special Revenue funds allocation of \$50,000 in fiscal year 2003-04 to the Department of Inland Fisheries and Wildlife for the costs of contracting for a required study.