

# MAINE STATE LEGISLATURE

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MS  
2003

L.D. 359

DATE: 4-15-03

(Filing No. H-130)

MAJORITY  
INLAND FISHERIES AND WILDLIFE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
121ST LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 279, L.D. 359, Bill, "An Act To Clarify Reciprocity for ATV Registration"

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

**'An Act Relating to ATV Registration'**

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

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

**Whereas, in order for the special registration fees imposed in this legislation to take effect in time to be implemented for the coming ATV registration period beginning July 1, 2003 and produce needed revenue for the ATV Recreational Management Fund, this legislation needs to take effect immediately; 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:**

**Sec. 1. 12 MRSA §7854, sub-§3-A is enacted to read:**

**3-A. Temporary fee. Notwithstanding any other provision of this section, and in addition to any other special assessments**

**COMMITTEE AMENDMENT**

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COMMITTEE AMENDMENT "A" to H.P. 279, L.D. 359

2 that may be imposed, an additional, temporary \$3 fee is imposed  
3 on all ATV registrations for the registration periods beginning  
4 July 1, 2003 and July 1, 2004. The temporary fee must be  
5 collected at the time a registration is issued and credited in  
6 full to the ATV Recreational Management Fund of the Department of  
7 Conservation.

8 This subsection is repealed June 30, 2005.

10 **Sec. 2. 12 MRSA §7854, sub-§4, ¶A**, as amended by PL 2001, c.  
11 690, Pt. A, §14 and affected by §18, is further amended to read:

12  
13 A. After administrative costs, revenues received under this  
14 subchapter are credited as undedicated revenue to the  
15 General Fund except that 50% of those revenues is credited  
16 to the ATV Recreational Management Fund of the Department of  
17 Conservation. The Legislature shall appropriate to the  
18 department in each fiscal year an amount equal to the  
19 administrative costs incurred by the department in  
20 collecting revenue under this subsection. Those  
21 administrative costs must be verified by the Department of  
22 Conservation and the Department of Administrative and  
23 Financial Services.

24  
25 The department shall ~~use a portion of the revenue dedicated~~  
26 ~~to the ATV Recreational Management Fund for~~ develop and  
27 implement an ATV law enforcement grant-in-aid program to  
28 assist law enforcement agencies other than the Bureau of  
29 Warden Service.

30 **Sec. 3. 12 MRSA §7854, sub-§9**, as enacted by PL 1983, c. 297,  
31 §§1 and 3, is repealed.

32  
33 **Sec. 4. Appropriations and allocations.** The following  
34 appropriations and allocations are made.

35 **INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

36 **Savings Fund**

37 Initiative: Appropriates funds to be used only to avoid future  
38 fee increases.

39	<b>General Fund</b>	<b>2003-04</b>	<b>2004-05</b>
40	All Other	\$73,950	\$73,950
41			
42	General Fund Total	<u>\$73,950</u>	<u>\$73,950</u>

2003

COMMITTEE AMENDMENT "A" to H.P. 279, L.D. 359

**Division of Public Information and Education**

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Initiative: Appropriates funds to restore funding for operational costs.

<b>General Fund</b>	<b>2003-04</b>	<b>2004-05</b>
All Other	\$50,000	\$50,000
General Fund Total	<u>\$50,000</u>	<u>\$50,000</u>

**INLAND FISHERIES AND WILDLIFE,  
DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2003-04</b>	<b>2004-05</b>
General Fund	\$123,950	\$123,950
DEPARTMENT TOTAL - ALL FUNDS	<u>\$123,950</u>	<u>\$123,950</u>

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

**SUMMARY**

This amendment, which is the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife, replaces the bill and changes the title to reflect the content of the amendment. This amendment:

1. Repeals the reciprocity provision relating to ATV registration;
2. Imposes a temporary \$3 fee on all ATV registrations for the registration periods beginning July 1, 2003 and July 1, 2004. The temporary fee is credited to the ATV Recreational Management Fund of the Department of Conservation;
3. Modifies language relating to the ATV law enforcement grant-in-aid program to remove reference to funding for the program coming from the ATV Recreational Management Fund;

COMMITTEE AMENDMENT "A" to H.P. 279, L.D. 359

4. Adds an appropriation section to the bill relating to the increased revenues created by the bill and appropriates \$50,000 to the Department of Inland Fisheries and Wildlife to restore funding for operational costs; and

5. Adds an emergency preamble and emergency clause to the bill.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



**121st Maine Legislature  
Office of Fiscal and Program Review**

**LD 359**

**An Act To Clarify Reciprocity for ATV Registration**

**LR 1141(02)**

**Fiscal Note for Bill as Amended by Committee Amendment " "**

**Committee: Inland Fisheries and Wildlife**

**Fiscal Note Required: Yes**

**Fiscal Note**

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
<b>Net Cost (Savings):</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Appropriations</b>				
General Fund	\$123,950	\$123,950	\$123,950	\$123,950
<b>Revenue</b>				
General Fund	\$123,950	\$123,950	\$123,950	\$123,950
Other Special Revenue Funds	\$202,050	\$202,050	\$202,050	\$202,050

**Fiscal Detail and Notes**

Repealing reciprocity with other states and provinces for ATV registrations will increase General Fund revenues collected by the Department of Inland Fisheries and Wildlife from registration fees; the estimated annual amount is \$123,950 beginning in fiscal year 2003-04. The amended bill includes General Fund appropriations of \$50,000 in each of fiscal years 2003-04 and 2004-05 for the Division of Public Information and Education. The amended bill also includes General Fund appropriations of \$73,950 for each of fiscal years 2003-04 and 2004-05 for the Savings Fund program. Imposing an additional assessment on registration fees for ATVs will also increase Other Special Revenue Funds revenues collected by the Department of Conservation from registration fees; the estimated annual amount is \$202,050 beginning in fiscal year 2003-04.