

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

RS

L.D. 433

DATE: 3/28/05

(Filing No. H-81)

AGRICULTURE, CONSERVATION AND FORESTRY

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

STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 318, L.D. 433, Bill, "An Act To Allow the Department of Conservation To Create Dedicated Accounts for Sales of Merchandise and Acceptance of Donations"

Amend the bill by inserting after the title the following:

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

Whereas, this Act authorizes the establishment of a dedicated account to increase funds available for programs within the Department of Conservation; and

Whereas, the funding is generated by the sale of merchandise to the public and anticipated sales will be greatest during the summer months when numbers of visits to state parks and historic sites are high; and

Whereas, the additional funding provided from sales will assist the Department of Conservation in its mission of providing recreational opportunities and serving as an exemplary steward of the public lands of the State; 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,'

Further amend the bill in section 1 in that part designated "§5012-A." in the indented paragraph in the 3rd line (page 1, line 10 in L.D.) by inserting after the following: "such as" the following: ', but not limited to,'

COMMITTEE AMENDMENT

Refs

COMMITTEE AMENDMENT "A" to H.P. 318, L.D. 433

2 Further amend the bill in section 1 in that part designated
4 "§5012-A." by inserting at the end the following:

6 'Merchandise sold by the commissioner must be of good
8 quality and appropriate for sale by the department. To the
10 extent the commissioner needs to contract with vendors to obtain
12 goods or services in order to develop, create or manufacture
14 merchandise for sale, the commissioner shall, to the maximum
16 extent practicable, contract with vendors located in this State.
18 The commissioner shall register with the United States Library of
20 Congress, United States Copyright Office a copyright in any
original pictorial, graphic or other artwork or original work of
authorship produced by or under the direction of the department
as a work made for hire that is used in merchandise sold by the
department. The commissioner may use, manage or administer any
copyright held by or license to use copyrighted materials
obtained by the department and may manage the copying, use and
dissemination of copies of copyrighted materials in which the
department holds a copyright or license.'

22 Further amend the bill by inserting after section 1 the
24 following:

26 'Sec. 2. Appropriations and allocations. The following
28 appropriations and allocations are made.

30 CONSERVATION, DEPARTMENT OF

32 Administrative Services - Conservation 0222

34 Initiative: Provides allocations for the newly established
36 General Merchandise and Donations account.

36	OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
38	All Other	\$5,000	\$5,000
40	OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,000	\$5,000

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

46 **SUMMARY**

48 This amendment adds an emergency to the bill. It directs
the Commissioner of Conservation to register for copyright
protection original artwork used on products for sale, to

COMMITTEE AMENDMENT

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 318, L.D. 433

2 contract with Maine businesses for the production of merchandise
whenever possible and to limit sales to products of high quality
4 and appropriate for sale by the department.

6 **FISCAL NOTE REQUIRED**
(See attached)

COMMITTEE AMENDMENT



122nd MAINE LEGISLATURE

LD 433

LR 0639(02)

An Act To Allow the Department of Conservation To Create Dedicated Accounts for Sales of Merchandise and Acceptance of Donations

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Appropriations/Allocations				
Other Special Revenue Funds	\$5,000	\$5,000	\$5,000	\$5,000
Revenue				
Other Special Revenue Funds	\$5,000	\$5,000	\$5,000	\$5,000

Fiscal Detail and Notes

Beginning in fiscal year 2005-06, the Department of Conservation will collect an estimated \$5,000 in annual Other Special Revenue Funds revenue as a result of being authorized to collect revenue from the sale of certain merchandise. The department will require additional annual Other Special Revenue Funds allocations of the same amount starting in fiscal year 2005-06.