

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 980

H.P. 690

House of Representatives, February 24, 2005

### An Act To Distribute Fees from All-terrain Vehicle Registrations

(EMERGENCY)

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative MOODY of Manchester.  
Cosponsored by Representative FINCH of Fairfield.

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

4           **Whereas,** a fee of \$3 is currently imposed on the  
6 registration of ATVs in addition to the regular registration fee;  
and

8           **Whereas,** the fee is used to fund the ATV Recreational  
10 Management Fund of the Department of Conservation; and

12           **Whereas,** the temporary fee is scheduled to end June 30,  
2005; and

14           **Whereas,** in the judgment of the Legislature, these facts  
16 create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
18 necessary for the preservation of the public peace, health and  
safety; now, therefore,

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

22           **Sec. 1. 12 MRSA §10203, sub-§1, ¶A,** as affected by PL 2003, c.  
24 614, §9 and amended by c. 655, Pt. B, §46 and affected by §422,  
is further amended to read:

26           A. All fees, fines, penalties and officers' costs and all  
28 other money received, collected or recovered by the court or  
the department under any provisions of this Part except  
30 section 10206, subsections 1 ~~1-A~~ and 3; section 10259;  
section 10353, subsection 3; section 11157; chapter 925,  
32 subchapter 3; and chapter 929;

34           **Sec. 2. 12 MRSA §10206, sub-§1,** as affected by PL 2003, c.  
614, §9 and amended by c. 655, Pt. B, §47 and affected by §422  
36 and amended by c. 695, Pt. B, §3 and affected by Pt. C, §1, is  
repealed.

38           **Sec. 3. 12 MRSA §10206, sub-§1-A** is enacted to read:

40           **1-A. All-terrain vehicle revenues.** The Legislature shall  
42 appropriate to the department in each fiscal year an amount equal  
to the administrative costs incurred by the department in  
44 collecting revenue under this subsection. The department's  
administrative costs must be verified by the Department of  
46 Conservation and the Department of Administrative and Financial  
Services.

48           A. The all-terrain vehicle registration fee for residents  
50 collected under chapter 939 is credited as follows.

2           (1) Twenty-two percent is credited to the General Fund  
as undedicated revenue.

4           (2) Fifty-two percent is credited to the ATV  
Recreational Management Fund established in section  
6           1893, subsection 2.

8           (3) Twenty-six percent is distributed annually to the  
municipality of the owner's residence as shown on the  
10           owner's registration certificate, except that in the  
unorganized territory, 26% is distributed annually to  
12           the county of the owner's residence as shown on the  
owner's registration certificate and credited to the  
14           unorganized territory fund of that county established  
in Title 30-A, section 7502.

16           B. The all-terrain vehicle registration fee for nonresidents  
18           collected under chapter 939 is credited as follows.

20           (1) Eighteen percent is credited to the General Fund as  
undedicated revenue.

22           (2) Seven percent is credited to the ATV Enforcement  
Grant Program Fund established under section 10322,  
24           subsection 2.

26           (3) Seventy-five percent is credited to the ATV  
Recreational Management Fund established in section  
28           1893, subsection 2.

30           C. The annual fee for each all-terrain vehicle dealer's  
number plate issued pursuant to section 13160 is credited as  
32           follows:

34           (1) Thirty percent is credited to the General Fund as  
36           undedicated revenue; and

38           (2) Seventy percent is credited to the ATV Recreational  
Management Fund established in section 1893, subsection  
40           2.

42           D. Notwithstanding any law to the contrary, all money  
received under the provisions of this Part relating to  
44           all-terrain vehicles other than that credited pursuant to  
paragraphs A to C is credited to the General Fund as  
46           undedicated revenue.

48           **Sec. 4. 12 MRSA §13155. sub-§5.** as affected by PL 2003, c.  
614, §9 and amended by c. 695, Pt. B, @13 and affected by Pt. C,  
50           §1, is further amended to read:

2           **5. Fees.** The annual registration fee for an ATV is ~~\$17~~ \$20  
for a resident and ~~\$35~~ \$38 for a nonresident.

4           **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect July 1, 2005.

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#### SUMMARY

10           Currently, an additional \$3 temporary fee, scheduled to  
expire June 30, 2005, is imposed on the registrations of ATVs;  
12 the fee is dedicated to the ATV Recreational Management Fund in  
the Department of Conservation.

14

16           This bill makes the additional fee permanent by increasing  
the annual ATV registration fee for residents to \$20 and for  
nonresidents to \$38. This bill also distributes all revenue  
18 generated from the registration of ATVs in a manner similar to  
the distribution of revenue from the registration of snowmobiles.