

MAINE STATE LEGISLATURE

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INLAND FISHERIES AND WILDLIFE

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

123RD LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1668, L.D. 2308, Bill, "An Act To Stabilize the Department of Inland Fisheries and Wildlife's Bureau of Warden Service and Fisheries and Hatcheries Division"

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

'Resolve, To Stabilize the Bureau of Warden Service and the Division of Fisheries and Hatcheries'

Amend the bill by striking out everything after the title and before the summary and inserting 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 financial stability of the Department of Inland Fisheries and Wildlife, Bureau of Warden Service and the fisheries and hatcheries division is imperative for the protection and conservation of Maine's fish and wildlife resources; and

Whereas, additional funding for the Bureau of Warden Service and the fisheries and hatcheries division is needed immediately to maintain the current levels of operations; 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

Sec. 1. Transfer from unappropriated surplus at the close of fiscal year 2007-08 to the Department of Inland Fisheries and Wildlife. Resolved: That, notwithstanding any other provision of law, at the close of fiscal year 2007-08, the State Controller shall transfer an amount determined pursuant to this section upon finding that:

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 1668, L.D. 2308

1 1. Revenue received by the Department of Inland Fisheries and Wildlife is in excess
2 of total budgeted revenue in fiscal year 2007-08; and

3 2. Total General Fund revenue received in fiscal year 2007-08 is in excess of final
4 budgeted revenue estimates.

5 If the conditions specified in subsections 1 and 2 have been met, the State Controller
6 shall transfer the least of the excess revenue received by the Department of Inland
7 Fisheries and Wildlife, the total excess General Fund revenue and \$683,000 from the
8 unappropriated surplus of the General Fund to the Department of Inland Fisheries and
9 Wildlife, Enforcement Operations program in the General Fund after all required
10 deductions of appropriations, budgeted financial commitments and adjustments
11 considered necessary by the State Controller have been made and as the first priority after
12 the transfers required pursuant to the Maine Revised Statutes, Title 5, sections 1507 and
13 1511 and before the transfers required pursuant to Title 5, section 1536 and Public Law
14 2007, chapter 240, Part MM; and be it further

15 **Sec. 2. Transfers considered adjustments to appropriations. Resolved:**
16 That, notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other
17 provision of law, amounts transferred pursuant to section 1 are considered adjustments to
18 appropriations in fiscal year 2008-09. Seventy-five percent of those funds must be used
19 for non-Personal Services of the Bureau of Warden Service, and 25% of those funds must
20 be used to fund non-Personal Services of the fisheries and hatcheries division. These
21 funds may be allotted by financial order upon recommendation of the State Budget
22 Officer and approval of the Governor; and be it further

23 **Sec. 3. Lapsed balance transfer. Resolved:** That, notwithstanding any other
24 provision of law, if the revenue provided in section 1 is less than \$683,000, the State
25 Controller shall transfer from any unencumbered allocated balances within the
26 Department of Inland Fisheries and Wildlife as identified in the Maine Revised Statutes,
27 Title 12, section 10202, subsection 4 an amount that when added to the revenues
28 transferred pursuant to section 1 equals \$683,000.

29 **Emergency clause.** In view of the emergency cited in the preamble, this
30 legislation takes effect when approved.

31 **SUMMARY**

32 This amendment replaces the bill with a resolve that directs the State Controller to
33 transfer up to \$683,000 from General Fund revenue to the Department of Inland Fisheries
34 and Wildlife, Bureau of Warden Service and the fisheries and hatcheries division if there
35 is revenue in excess of the amounts budgeted for the department and for the State.
36 Seventy-five percent of that revenue must be used for non-Personal Services of the
37 bureau and 25% of those funds must be used to fund non-Personal Services of the
38 fisheries and hatcheries division. If the excess revenue is insufficient to meet the
39 \$683,000 amount, the State Controller is required to transfer the shortage from
40 unencumbered balances in the department.

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 2308

LR 3630(03)

An Act To Stabilize the Department of Inland Fisheries and Wildlife's Bureau of Warden Service and Fisheries and Hatcheries Division

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

Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

Fiscal Note

Reduction of Unbudgeted General Fund Revenue

Fiscal Detail and Notes

This amendment provides for a transfer of up to \$683,000 from the unappropriated surplus of the General Fund to the Department of Inland Fisheries and Wildlife in fiscal year 2008-09 if both revenue received by the Department of Inland Fisheries and Wildlife and total General Fund revenues exceed final budgeted revenues. \$512,250, or 75%, must be used for nonpersonal services within the Enforcement Operations program and \$170,750, or 25%, must be used for nonpersonal services within the Fisheries and Hatcheries Operations.