

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 179

S.P. 65

January 21, 2009

An Act To Clarify Expenditures and the Use of Department-generated Revenues within the Department of Inland Fisheries and Wildlife

Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204. Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BRYANT of Oxford.
Cosponsored by Representative WHEELER of Kittery and
Senator: GERZOSKY of Cumberland, Representatives: BRYANT of Windham, SHAW of
Standish, THERIAULT of Madawaska, WILLETTE of Presque Isle.

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

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

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

8 **Sec. 2. 12 MRSA §10203, sub-§1, ¶B,** as enacted by PL 2003, c. 414, Pt. A, §2
9 and affected by c. 614, §9, is amended to read:

10 B. Any fees, fines and penalties recovered by the court from any prosecution by
11 wardens pursuant to their acting, under section 10353, subsection 3, with the same
12 powers and duties as sheriffs; ~~and~~ .

13 **Sec. 3. 12 MRSA §10203, sub-§1, ¶C,** as enacted by PL 2003, c. 414, Pt. A, §2
14 and affected by c. 614, §9, is repealed.

15 **Sec. 4. 12 MRSA §10203, sub-§7** is enacted to read:

16 7. Department-owned property. Money received from the sale, lease or rental of
17 department-owned property or products must be deposited into the program account that
18 originally expended funds for that property.

19 **Sec. 5. 12 MRSA §10262** is enacted to read:

20 **§10262. Warden Service Aircraft Fund**

21 1. Fund established. The Warden Service Aircraft Fund, referred to in this section
22 as "the fund," is established through the Office of the State Controller as a nonlapsing
23 fund under the jurisdiction of the Bureau of Warden Service within the department,
24 referred to in this section as the "bureau," to ensure the viability of its aviation program.

25 2. Funding. The bureau may assess charges consisting of direct operating costs of
26 the aircraft to agencies of the State for the use of the bureau's aircraft resources for
27 purposes other than warden service activities and shall deposit any such money received
28 into the fund. The bureau may apply for and accept any appropriation, grant, gift or
29 service made available from any public or private source consistent with the purpose of
30 this section and shall deposit any such money into the fund.

31 3. Fund uses. The bureau may use the fund to purchase aviation equipment,
32 including maintenance, repairs, fuel and spare parts, in accordance with the bureau's plan
33 to diversify and modernize its aviation program.

34 **SUMMARY**

35 This bill amends the law concerning expenditures and use of department-generated
36 revenues within the Department of Inland Fisheries and Wildlife in order to retain the

1 integrity of program funds by authorizing the money generated by specific programs to
2 be allocated within those programs.

3 It also establishes the Warden Service Aircraft Fund.