

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)

SMG
R. 4. 5

L.D. 563

Date: 6-8-11

(Filing No. S-284)

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
125TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "C" to COMMITTEE AMENDMENT "A" to S.P. 155, L.D. 563, "RESOLUTION, Proposing an Amendment to the Constitution of Maine To Use a Portion of the Sales and Use Tax for the Protection of Maine's Fish and Wildlife"

Amend the amendment by striking out all of the first indented paragraph after the title (page 1, lines 12 and 13 in amendment) and inserting the following:

'Amend the resolution by striking out all of that part designated "Constitution, Art. IX, §24" (page 1, lines 4 to 10 in L.D.) and inserting the following:

'Constitution, Art. IX, §24 is enacted to read:

Section 24. Revenues dedicated to fish and wildlife resources protection.
In addition to the appropriation of funds required under section 22, a total of 1.20% of revenues raised by means of the sales and use tax laws must be allocated to the following 2 departments: 90% of the revenue raised pursuant to this section must be allocated to the Department of Inland Fisheries and Wildlife or any successor agency responsible for fisheries and wildlife management, other than commercial marine fisheries management, to be used only for the protection of the State's fish and wildlife resources; and 10% of the revenue raised pursuant to this section must be allocated to the Department of Marine Resources or any successor agency responsible for diadromous fish management to be used only to protect, conserve, restore, manage and enhance diadromous fish populations and their habitat in all waters of the State. This section does not apply to additional sales or use tax revenue raised as the result of an increase in the rate of the sales or use tax imposed after July 1, 2011. This section applies to fiscal years beginning on and after July 1, 2013.'

Amend the amendment in the last indented paragraph in the last line (page 1, line 16 in amendment) by striking out the following: "one-quarter" and inserting the following: 'one-fifth'

SUMMARY

This amendment changes the percent of the sales and use tax revenues allocated for the protection of fish and wildlife from 1.25% to 1.20%. It requires that 10% of sales and use tax revenues dedicated to fish and wildlife resources protection be allocated to the Department of Marine Resources to be used only to protect, conserve, restore, manage

R. of S.

SENATE AMENDMENT "C" to COMMITTEE AMENDMENT "A" to S.P. 155, L.D. 563

1
2
3
4
5
6
7
8
9
10

and enhance diadromous fish populations and their habitat in all waters of the State. It requires that 90% of sales and use tax revenues dedicated to fish and wildlife resources protection be allocated to the Department of Inland Fisheries and Wildlife. It provides that the constitutional amendment does not apply to additional sales or use tax revenue raised as the result of an increase in the rate of the sales or use tax imposed after July 1, 2011. It also provides that the constitutional amendment applies to fiscal years beginning on and after July 1, 2013.

SPONSORED BY: John L. Patrick

(Senator PATRICK)

COUNTY: Oxford

FISCAL NOTE REQUIRED
(See attached)



125th MAINE LEGISLATURE

LD 563

LR 14(07)

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Use a Portion of the Sales and Use Tax for the Protection of Maine's Fish and Wildlife

Fiscal Note for Senate Amendment "C" to Committee Amendment "A" S-284

Sponsor: Sen. Patrick of Oxford

Fiscal Note Required: Yes

Fiscal Note

Delay of contingent impact

Fiscal Detail and Notes

Any impact of the bill is contingent on approval by the voters at referendum. Dedicating 1.20% of all sales and use tax revenue to the protection of Maine's fish and wildlife resources and delaying the effective date until fiscal years beginning on or after July 1, 2013 will move any fiscal impacts out of the 2012-2013 biennium. This will restore the General Fund revenue losses of \$6,259,211 in fiscal year 2011-12 and \$11,787,749 in fiscal year 2012-13, as well as the Other Special Revenue Funds revenue losses of \$329,432 in fiscal year 2011-12 and \$712,978 in fiscal year 2012-13 that would have occurred as a result of the committee amendment. The dedicated revenue that would have accrued to the Department of Inland Fisheries and Wildlife and the Department of Marine Resources in the 2012-2013 biennium as a result of the committee amendment will now impact these agencies in fiscal years 2013-14 and 2014-15. Dedicated revenue will now accrue to those agencies in slightly reduced amounts owing to the reduction in this Senate amendment of the dedicated revenue percentage from 1.25% to 1.20%.