

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1265

H.P. 904

House of Representatives, March 28, 2013

**An Act To Strengthen Maine's Assent Language for Participation in
the Federal Aid in Wildlife Restoration Act**

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.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DAVIS of Sangerville.
Cosponsored by Senator DUTREMBLE of York and
Representative: SHAW of Standish.

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

2 **Sec. 1. 12 MRSA §10106, sub-§1**, as enacted by PL 2003, c. 414, Pt. A, §2 and
3 affected by c. 614, §9, is amended to read:

4 **1. Commissioner's authority.** The State assents to the Federal Aid in Wildlife
5 Restoration Act, Public Law, September 2, 1937, chapter 899, as amended, and the
6 Federal Aid in Fish Restoration Act, Public Law, August 9, 1950, chapter 658, as
7 amended. The commissioner is authorized, empowered and directed to perform such acts
8 as may be necessary to the conduct and establishment of cooperative wildlife and fish
9 restoration projects, as defined in those Acts of Congress, in compliance with those Acts
10 and with rules and regulations promulgated by the United States Secretaries of
11 Agriculture and Interior under those Acts. In accordance with the Constitution of Maine,
12 Article IX, Section 22, the commissioner shall ensure that none of the revenue collected,
13 received or recovered by the department from license and permit fees; fines; the sale,
14 lease or rental of property; penalties; and all other revenue sources pursuant to the laws of
15 the State administered by the department, is diverted to any purpose other than
16 administration of the department.

17 **SUMMARY**

18 This bill requires the Commissioner of Inland Fisheries and Wildlife to ensure that
19 revenue raised by the Department of Inland Fisheries and Wildlife is not diverted to any
20 purpose other than administration of the department in accordance with the Constitution
21 of Maine, Article IX, Section 22. That constitutional provision prohibits the diversion of
22 revenue collected from license and permit fees; fines; the sale, lease or rental of property;
23 penalties; and any other revenue source related to the Department of Inland Fisheries and
24 Wildlife.