

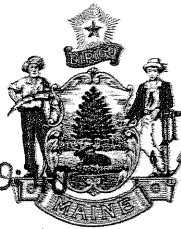
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STATE OF MAINE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

COMMITTEE ON INLAND FISHERIES AND WILDLIFE

TO: Senator, Bill Diamond, Senate Chair
Representative, Emily Ann Cain, House Chair
Members, Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Bruce S. Bryant, Senate Chair
Representative Herbert E. Clark, House Chair
Joint Standing Committee on Inland Fisheries and Wildlife

DATE: January 21, 2009

SUBJ: Update to the IFW committee's report on LD 45 - Supplemental Budget for 2009

As promised in our January 16, 2009 letter regarding LD 45 – 2009 Supplemental Budget, we have attached language that authorizes the Department of Inland Fisheries and Wildlife to sell law books and abstracts of the laws and regulations of Title 12, Part 13 in order to self-fund the production of those publications (Attachment A). This language supplements our response to the initiative on page 111 of LD 45 (Ref. # 571). Additionally, we have included revised language regarding the motorcycle and trailer sportsman specialty plate proposal we included with our January 16th report back (Attachment B). This language should replace our earlier submission. It provides sportsman specialty plates for trailers but does not include provisions to create the plate for motorcycles. Finally, the committee voted (8-0) to transfer \$20,000 from the Inland Fisheries and Wildlife carrying account into the Division of Public Information and Education account (010-09A-0729-01) to fund out-of-state travel by department personnel to attend regional trade shows. We have attached unallocated language directing the commissioner to use the transferred funds for that purpose (Attachment C). The department's presence at trade shows stimulates significant interest in Maine's outdoor resources and generates revenues for Maine far in excess of the department's travel costs. This transfer is in addition to the transfer of \$51,545 from the IFW carrying account for the publication of certain law books as provided in our January 16, 2009 letter.

Thank you for your consideration of our recommendations.

cc: Patrick Norton, Director, Office of Policy and Legal Analysis

ATTACHMENT A

Proposed Amendment to LD 45 - Supplemental Budget for 2009

(Regarding the publication of law books and abstracts of the laws and regulations of Title 12, Part 13)

Joint Standing Committee on Inland Fisheries and Wildlife

January 20, 2009

(Voted in 8-0)

PART ?

Sec. 1. 12 MRSA § 10103, sub-§ 7-A, is enacted to read:

7-A. Publication of Inland Fisheries and Wildlife laws. The commissioner may produce and distribute law books or abstracts containing the laws and regulations of Title 12, Part 13.

Sec. 2. 12 MRSA §10262, is enacted to read:

§ 10262. Law Book Publication Fund

The Law Book Publication Fund, referred to in this section as "the fund," is established within the Division of Public Information and Education as a nonlapsing fund to be used by the commissioner to fund the production, printing and distribution of Maine Revised Statutes, Title 12, Part 13 and other law books of abstracts published pursuant to section 10103, subsection 7-A. The fund is administered by the commissioner and is funded through revenues collected from the sell of law books and abstracts of laws published pursuant to section 10201, subsection 1 and any monetary gifts, donations or other contributions from public or private sources. Funds deposited in the fund must be used for the purposes specified in this section.

Sec. 3. 12 MRSA § 10201, is amended to read:

§10201. Power to raise revenue

1. Sale of publications. If the commissioner determines it advisable for the more effective dissemination of factual information, information of public interest or information tending to promote better public relations, the commissioner may fix the price, if any, of certain

publications and materials of the department and sell and deliver them directly or through an agent. Publications and materials included within this authority are all publications including but not limited to law books or abstracts containing the laws and regulations of Title 12, Part 13, articles, biological and statistical data, professional and technical service reports by departmental personnel and other materials in the department's possession and pertaining to the department. These publications may not carry any advertising of a political nature but may carry commercial advertising. The commissioner shall accept commercial advertising in the department's general circulation magazine entitled "Maine Fish and Wildlife" and any successor or similar publication developed by the department. The commissioner may allot a reasonable portion of the sale price of law books or abstracts produced pursuant to section 10103, subsection 7-A to an agent selling those publications.

The commissioner may sell or lease video and audio recordings, photographs and negatives owned by the department and may fix the price, if any, giving consideration to their fair market value.

Except for an agent allotment, revenues from the sale of a publication authorized pursuant to section 10103, subsection 7-A must be deposited in the Law Book Publication Fund established in section 10262.

SUMMARY

This amendment authorizes the Commissioner of Inland Fisheries and Wildlife to produce, distribute and sell law books or abstracts containing the laws and regulations of Title 12, Part 13. It provides that the commissioner may sell these publications directly or through an agent and that sales revenue must be deposited into a special account to cover the cost of producing the law books and abstracts. This amendment also allows the Commissioner of Inland Fisheries and Wildlife to allot a reasonable portion of the sale price to agents selling these publications.

ATTACHMENT B

Proposed Amendment to LD - 45 Supplemental Budget for 2009

(Regarding the sportsman specialty plates for trailers)

Joint Standing Committee on Inland Fisheries and Wildlife

January 20, 2009

(Voted in 8-0)

PART ?

Sec. 1. 12 MRSA § 10262, is created to read:

§10262. Outdoor Recreational Access Protection Fund

1. Fund established. The Outdoor Recreational Access Protection Fund, referred to in this section as the "fund," is established as a nonlapsing fund administered by the commissioner for the purposes of acquiring real property or an interest in real property necessary to ensure access for recreational opportunities that are licensed under this Part.

2. Funding sources. The fund may receive money deposited by the Treasurer of State pursuant to Title 29-A, sections 456-C for the registration of a motorcycle or trailer and any other gift, grant or other source of revenue deposited for that use.

Sec. 2. 29-A MRSA § 456-C, is amended to read:

§456-C. SPORTSMAN REGISTRATION PLATES

1. Sportsman registration plates. The Secretary of State, upon receiving an application and evidence of payment of the registration fee required by section 501 or 511 and the excise tax required by Title 36, section 1482, shall issue a registration certificate and a set of sportsman plates to be used in lieu of regular registration plates. These plates must bear identification numbers and letters. Vanity plates may not duplicate vanity plates issued in another class of plate. ~~The Secretary of State shall begin issuing sportsmen registration plates by April 1, 2008.~~

2. Initial registration fee. Except as provided in subsection 2-A, and in addition to the regular motor vehicle registration fee prescribed by law, the initial contribution for the sportsman registration plate is \$20, which must be deposited with the Treasurer of State and credited as follows:

- A. Fourteen dollars to the Boat Launch Facilities Fund established in Title 12, section 10261;
- B. Five dollars to the Highway Fund for administrative and production costs; and
- C. One dollar to the Specialty License Plate Fund established under section 469.

2-A. Initial registration fee for a trailer. In addition to the regular trailer registration fee prescribed by law, the initial contribution for the sportsman registration plate is \$20, which must be deposited with the Treasurer of State and credited as follows:

- A. Fourteen dollars to the Outdoor Recreational Access Protection Fund established in Title 12, section 10262;
- B. Five dollars to the Highway Fund for administrative and production costs; and
- C. One dollar to the Specialty License Plate Fund established under section 469.

3. Renewal fee. Except as provided in subsection 3-A, and in addition to the regular motor vehicle registration fee prescribed by law, the annual renewal contribution for sportsman registration plates is \$20, which must be deposited with the Treasurer of State and credited as follows:

- A. Eighteen dollars credited as follows:
 - (1) Fifty percent to the fish hatchery maintenance fund established in Title 12, section 10252;
 - (2) Fifteen percent to the Boat Launch Facilities Fund established in Title 12, section 10261;
 - (3) Ten percent to the Maine Endangered and Nongame Wildlife Fund established in Title 12, section 10253; and
 - (4) Twenty-five percent to the Support Landowners Program in Title 12, section 10108, subsection 4, paragraph A;
- B. One dollar to the Highway Fund for administrative and production costs; and
- C. One dollar to the Specialty License Plate Fund established under section 469.

3-A. Renewal fee for a trailer. In addition to the regular trailer registration fee prescribed by law, the annual renewal contribution for the sportsman registration plate is \$20, which must be deposited with the Treasurer of State and credited as follows:

- A. Fourteen dollars to the Outdoor Recreational Access Protection Fund established in Title 12, section 10262;
- B. Five dollars to the Highway Fund for administrative and production costs; and
- C. One dollar to the Specialty License Plate Fund established under section 469.

4. Issuance. The Secretary of State shall issue a sportsman registration plate in a number or letter sequence or a combination of a number and letter sequence.

5. Design and approval. Notwithstanding section 468, subsection 5, the Commissioner of Inland Fisheries and Wildlife shall submit a new proposed design for the sportsman registration plate every 6 years for approval or modification by the Secretary of State.

6. Transfer of fees. On a quarterly basis, the Secretary of State shall transfer the revenue from the issuance and renewal of the sportsman registration plates to the Treasurer of State for deposit and crediting pursuant to subsections 2, 2-A, and 3 and 3-A.

7. Eligibility; trailer. A sportsman registration plate may be issued for a trailer registered pursuant section 511.

Sec. 3. 12 MRSA §468, sub-§ 10, is amended to read:

10. Additional versions or classes of the specialty plate. Except for sportsman registration plates issued for a trailer under section 656-C, sub-section 7 or otherwise provided by law, all requirements set forth in this section must be followed for each additional class or version of a specialty plate.

SUMMARY

This proposal creates the Outdoor Recreational Access Protection Fund within the Department of Inland Fisheries and Wildlife for the purpose of acquiring real property to ensure access for recreational opportunities that are licensed by the department. It also extends the sportsman registration plate to include trailers and dedicates a portion of the registration fee to the Outdoor Recreational Access Protection Fund.

ATTACHMENT C

Proposed Amendment to LD - 45 Supplemental Budget for 2009

(Regarding transfer of \$20,000 for out-of-state travel)

Joint Standing Committee on Inland Fisheries and Wildlife

January 20, 2009

(Voted in 8-0)

PART ?

Sec. 1. The Commissioner of Inland Fisheries and Wildlife shall use the \$20,000 transferred by this Act from the Department of Inland Fisheries and Wildlife carrying account into the Division of Public Information and Education account (010-09A-0729-01) to fund out-of-state travel by the department to trade shows related to outdoor recreation.