

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

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

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

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

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

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 A, §2 and affected by c. 614, §9, is repealed.

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

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

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

§ 10262. Warden Service Aircraft Fund

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

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

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

SUMMARY

This bill amends the law concerning expenditures and use of department-generated revenues within the Department of Inland Fisheries and Wildlife in order to retain the integrity of program funds by authorizing the money generated by specific programs to be allocated within those programs.

It also establishes the Warden Service Aircraft Fund.