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An Act To Increase Funding for Programs That Support the Mission of the Department of Inland Fisheries and Wildlife

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

Sec. 1. 5 MRSA §12004-G, sub-§20-C is enacted to read:

20-C.

Inland Fisheries
and Wildlife

Maine Outdoor
Programs and
Activities Fund Board

Legislative Per Diem
and Expenses for
Appointed Members

12 MRSA §10158

Sec. 2. 12 MRSA §10158 is enacted to read:

§ 10158. Maine Outdoor Programs and Activities Fund Board

The Maine Outdoor Programs and Activities Fund Board, referred to in this section as "the board," is established within the department and shall carry out its duties in accordance with this section.

1. Members. The board consists of 5 members. The commissioner and the Game Warden Colonel are permanent members and their designees may represent them at board meetings. The Governor shall appoint the remaining 3 citizen members subject to the review of the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and confirmation by the Senate. One of these members must be a representative of a state sportsmen's organization, one must be a representative of a snowmobile or all-terrain vehicle organization and one must be a representative of a youth outdoor activities organization.

2. Terms. The Governor shall appoint citizen members to 4-year terms. Appointed citizen members may not serve more than 2 consecutive 4-year terms.

3. Chair. The Governor shall appoint a citizen member of the board to serve as chair. The chair may not serve more than 2 consecutive 4-year terms.

4. Board meetings, rules and administration. The board shall conduct its meetings as follows.

A. The board shall meet at least 3 times a year at the call of the chair.

B. The board may adopt rules necessary for the conduct of its business. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

- C. Appointed citizen members are entitled to compensation equal to legislative per diem and travel expenses under Title 5, section 12004-G, subsection 20-C while engaged in board activities.
- D. A quorum of the board for the transaction of business is 3 members.
- E. Board members are governed by the conflict of interest provisions in Title 5, section 18.

5. Board functions. The board has the following functions.

A. The board shall review funding requests and award funds annually for specific programs or activities within the department or for other agencies, nongovernmental organizations or individuals that meet the funding criteria of section 10267, subsection 7 pursuant to a grant proposal, recommendation from the department or upon the board's own initiative. Grant proposals must include a stated purpose, a time line, potential outcomes, a budget and an explanation of need. Funding or grant awards that establish a public-private partnership or involve matching funds are encouraged.

B. The board shall submit an annual report to the Governor and the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters detailing expenditures made from the fund.

C. Responsibility for administration of the board lies with the chair appointed under subsection 3. The board shall hire an executive director. The executive director may hire an additional staff person, if the board determines it necessary. The executive director directs the daily operation of the board. A staff position may be part-time. The executive director position is unclassified, and the executive director serves at the pleasure of the board.

D. The board shall prepare and adopt an annual budget to be included with the report required under paragraph B. The board may spend money to cover administrative expenses. The board shall endeavor to keep the level of administrative expenses as low as practicable and include, in its annual report, a discussion of efforts to minimize administrative expenses. The department shall provide staff support and assistance as determined necessary by the board.

Sec. 3. 12 MRSA §10267 is enacted to read:

§ 10267. Maine Outdoor Programs and Activities Fund

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Board" means the Maine Outdoor Programs and Activities Fund Board established in Title 5, section 12004-G, subsection 20-C.
- B. "Fund" means the Maine Outdoor Programs and Activities Fund.

2. Fund established. There is established the Maine Outdoor Programs and Activities Fund. The fund consists of revenues received pursuant to section 12501, subsection 8 and any funds received as contributions from private and public sources. The fund, to be accounted within the department, must be held separate and apart from all other money, funds and accounts. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund. Any unexpended balances remaining in the fund at the end of any fiscal year do not lapse and must be carried forward to the next fiscal year.

3. Purpose of fund. The fund is for the sole purpose of supporting the mission of the department under section 10051 by funding related outdoor programs and activities under subsection 7.

4. Relation to other funding. The fund supplements sources and levels of funding appropriated and allocated by the Legislature to inland fisheries and wildlife agencies. It is the intent of the Legislature that a grant received from the fund not be considered a substitute for funds previously appropriated or allocated to an inland fisheries and wildlife agency.

5. Fund availability. The fund must be available to the department, other agencies, nongovernmental organizations and individuals in accordance with section 10158, subsection 5, paragraph A. The department may contract with other agencies, nongovernmental organizations and individuals for the purpose of carrying out programs or activities funded by the fund.

6. Administration. The board shall administer the fund in accordance with section 10158, subsection 5, paragraph D. Administrative expenses may not exceed 10% of the distributions made from the fund under subsection 7.

7. Expenditures from fund; distribution. The board shall fund programs and activities within the department or make grants to other agencies, nongovernmental organizations or individuals, applications for which must be reviewed in accordance with section 10158, subsection 5, paragraph A. The board shall distribute annually on a regional basis available grant money to support inland fisheries and wildlife programs and activities as follows:

- A. Snowmobile and all-terrain vehicle trail improvement;
- B. Fish and game organizations; and
- C. Youth outdoor activity programs.

Sec. 4. 12 MRSA §12501, sub-§6, ¶A, as amended by PL 2009, c. 213, Pt. OO, §11, is further amended to read:

- A. A resident fishing license is ~~\$25~~\$26.

Sec. 5. 12 MRSA §12501, sub-§6, ¶H, as amended by PL 2009, c. 213, Pt. OO, §11, is further amended to read:

- H. A nonresident season fishing license for persons 16 years of age or older is ~~\$64~~\$66.

Sec. 6. 12 MRSA §12501, sub-§8 is enacted to read:

8. Maine Outdoor Programs and Activities Fund. The commissioner shall deposit \$1 from the fee under subsection 6, paragraph A and \$2 from the fee under subsection 6, paragraph H into the Maine Outdoor Programs and Activities Fund established in section 10267.

Sec. 7. Staggered terms. For the initial members appointed to the Maine Outdoor Program and Activities Fund Board pursuant to the Maine Revised Statutes, Title 12, section 10158, subsection 2, the Governor shall designate the first appointment for a one-year term, the 2nd appointment for a 2-year term and the 3rd appointment for a 3-year term. A partial term of an initial member under this section does not count toward the 2-term limit of a member under Title 12, section 10158, subsection 2.

SUMMARY

This bill creates the Maine Outdoor Programs and Activities Fund, administered by the Maine Outdoor Programs and Activities Fund Board, to carry out the mission of the Department of Inland Fisheries and Wildlife. The fund provides on a regional basis funding and grants to departmental and other outdoor programs and activities including funding for snowmobile and all-terrain vehicle trail improvements, fish and game organizations and youth outdoor activity programs. The Maine Outdoor Programs and Activities Fund is funded by adding \$1 to a resident fishing license fee and \$2 to a nonresident season fishing license fee for persons 16 years of age or older.