

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND THIRTEEN

S.P. 195 - L.D. 505

**Resolve, Directing the Commissioner of Agriculture, Conservation and Forestry To Conduct an Internal Review of the Snowmobile Trail Fund**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** recreational snowmobiling in the State contributes more than \$350,000,000 per year to the State's economy and accounts for at least 3,100 full-time jobs in the State; and

**Whereas,** a large part of this economic activity takes place in rural areas of the State, thus providing an important source of economic activity in areas with limited economic development opportunities; and

**Whereas,** the State has an unrivaled statewide snowmobile trail system consisting of 13,500 miles of groomed snowmobile trails maintained by 290 snowmobiling clubs and 115 municipalities; and

**Whereas,** the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands, Off-road Recreational Vehicle Division uses a portion of resident and nonresident snowmobile registration fees to reimburse the clubs and municipalities for part of the local costs for capital equipment and trail maintenance and grooming; and

**Whereas,** increasing costs for capital equipment, fuel and trail maintenance and recent declines in snowmobile registrations are putting increasing financial pressure on the clubs and municipalities that must be resolved in order to ensure the quality of the trail system; and

**Whereas,** there has been no effort in the past to systematically investigate and identify opportunities for greater economic efficiencies within the Snowmobile Trail Fund to resolve questions of economic equity in funding clubs and municipalities and between the Snowmobile Trail Fund and other funds in the maintenance of state-owned trails; and

**Whereas**, the future of snowmobiling in the State is directly linked to the need for an economically efficient, equitable and predictable program for providing funds to the snowmobile clubs and municipalities that develop and maintain the State's excellent and economically important snowmobile trail system; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Internal review. Resolved:** That the Commissioner of Agriculture, Conservation and Forestry, referred to in this resolve as "the commissioner," shall review the expenditures and operations of the Snowmobile Trail Fund, referred to in this resolve as "the fund," operated by the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands, Off-road Recreational Vehicle Division as provided by this section and report the findings of that review to the Joint Standing Committee on Agriculture, Conservation and Forestry as provided in section 2.

In conducting this review, the commissioner shall consult with representatives of statewide snowmobiling organizations, municipalities, local snowmobile clubs and other appropriate stakeholder groups.

The commissioner's review must include, but is not limited to:

1. A review and documentation of the allocation of funds to the fund and the amount of funds carried forward in the fund from one fiscal year to the next. The review must include a written explanation as to why those funds were carried forward. The review must also propose written criteria, to be applied prospectively, that justifies the conditions under which funds may be carried forward into a subsequent fiscal year;

2. The development of a quarterly reporting system detailing the revenue to and expenditures from the fund, including all nongrant expenditures, and a recommendation that the reports be submitted quarterly to interested parties. The commissioner shall also develop an annual reporting system on the finances and operations of the Snowmobile Trail Fund program for the submission to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters;

3. The development of a written policy for distributing funds from the fund to municipalities and snowmobile clubs that ensures, to the fullest extent possible, that the funds are distributed in an equitable manner, and the development of an educational program to ensure that grantees are properly trained in grant policies and procedures; and

4. The development of a plan for the elimination of state-administered snowmobile trail grooming projects; and be it further

**Sec. 2. Report. Resolved:** That the commissioner shall submit a written report on all matters included in section 1 to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than December 4, 2013. The report must include recommendations on all matters required to be included in the review under section 1 and

may include draft legislation necessary to implement any such recommendations. Following its review of the commissioner's report, the Joint Standing Committee on Agriculture, Conservation and Forestry may submit a bill to the Second Regular Session of the 126th Legislature to implement any mandatory reporting requirements or to authorize the adoption by the commissioner of any rules necessary to implement the commissioner's recommendations.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.