

**STATE OF MAINE
119TH LEGISLATURE
SECOND REGULAR SESSION**

**Final Report
of the
COMMISSION TO STUDY EQUITY IN THE
DISTRIBUTION OF GAS TAX REVENUES
ATTRIBUTABLE TO SNOWMOBILES,
ALL-TERRAIN VEHICLES AND
WATERCRAFT**

December, 2000

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Executive Summary

The Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft, hereafter referred to as the "Commission", held meetings and public hearings in Fort Fairfield, Augusta, Boothbay Harbor, Greenville and Naples between August 29, 2000 and November 29, 2000.¹ Each meeting consisted of one or more working meetings during the day and an evening public hearing session. On two occasions, in Fort Fairfield and Greenville, the Commission held an afternoon public hearing in addition to an evening public hearing, in anticipation of strong public interest in this issue by outdoor recreation enthusiasts and other interested parties in those areas.

In addition to receiving a wide range of public comment, the Commission also reviewed a consolidated strategic boating plan prepared by the Departments of Conservation, Inland Fisheries and Wildlife (Appendix E), reviewed a needs assessment for ATV and snowmobile access, maintenance and enforcement prepared by the Departments of Conservation and Inland Fisheries and Wildlife (Appendix F) and received an overview of the Highway Fund structural gap, motor fuel consumption estimates and road repair and maintenance needs from the Department of Transportation (Appendix G).

The Commission has concluded that snowmobiling, boating and ATV use have all increased significantly over recent years and now constitute a significant and important part of the economies of many regions of the State. Because Maine has positioned itself well to be competitive with other states and Canada in these outdoor recreational opportunities, the Commission feels that these opportunities offer a substantial potential for continued economic growth in Maine, particularly in the more rural parts of the State. State programs designed to develop and enhance those outdoor recreational opportunities are not meeting current needs and must be enhanced if the State is to maintain its competitive position as a destination state for summer and winter outdoor recreational opportunities.

Although the attached strategic boating plan and snowmobile and ATV needs assessment represents a substantial amount of work completed during its 3 months of meetings this interim, the Commission concluded that more information on the amount of gasoline consumed by boats, snowmobiles and ATVs must be collected before any recommendations can be made on the equitable distribution of gasoline tax revenues among those user groups.

¹ Resolves of 1999, chapter 131 required that the Commission hold its meetings in "geographically diverse locations throughout the State". The Fort Fairfield meeting was held on August 29, 2000, the Augusta meeting on October 3, 2000, the Boothbay Harbor meeting on October 23, 2000, the Greenville meeting on November 13, 2000 and the Naples meeting on November 29, 2000.

By itself, the strategic boating plan and the snowmobile and ATV needs assessments represent a tremendous amount of work by the agencies, and they are to be commended for working together so successfully to complete that important task in such a thorough and professional manner. The second piece of that task, conducting a survey to determine gasoline consumption by snowmobiles, ATV and motorboats, must be completed in an equally thorough and professional manner before we can adequately understand overall gasoline consumption by those users or make recommendations on the equitable distribution of gasoline tax revenues to those users.

For those reasons, and pursuant to the authority granted in its enabling legislation to undertake such research as is necessary to collect such data, the Commission has contracted with the Margaret Chase Smith Center for Public Policy at the University of Maine to conduct surveys of snowmobile, boating and ATV users in order to estimate the total annual gasoline consumed by each of those sectors. That contract, which has been implemented through a cooperative agreement between the University of Maine and the Departments of Conservation, Inland Fisheries and Wildlife, Marine Resources and Transportation, requires a report on gasoline consumption by ATV users by March 15, 2001, a report on gasoline consumption by snowmobiles by June 15, 2001 and a report on gasoline consumption by motorboats by November 30, 2001.

Recommendations

The Commission makes the following recommendations:

- *Reauthorize the Commission for an additional year, until December 6, 2001, for the purpose of providing policy oversight to the agencies and the University during the conduct of these survey, to meet regularly to review and discuss the findings of those surveys and to provide final recommendations on the equitable distribution of gas tax revenues among those user groups to the 2nd Regular Session of the 120th Legislature (See Appendix C); and*
- *Authorize a General Fund Transportation Bond issue in the amount of \$2.9 million for bridge improvements to fund snowmobile crossing lanes at certain highway bridges and to fund high priority boating and fishing access projects at other bridges scheduled for replacement within the next 2 years (See Appendix D).*

Legislation to implement these recommendations is attached as Appendices C and D.

Purpose of the Commission.

The Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft was established by Resolves of 1999, chapter 131.² The Commission is comprised of five appointed members of the House of Representatives, five appointed members of the Senate and five Executive Branch appointees representing the departments of Transportation, Conservation, Inland Fisheries and Wildlife, Marine Resources and Administrative and Financial Services.³

The duties of the Commission specified in the Resolve were:

1. *To undertake a comprehensive effort to collect and analyze all existing data regarding the amount and type of fuel purchased for and consumed within this State by snowmobiles, all-terrain vehicles and motorboats and of fuel purchased in this State for those vehicles and consumed outside the jurisdiction of this State;*
2. *To identify areas where such information is either incomplete or out of date or has not yet been collected and shall undertake such research as is necessary and within its resources to collect and update that information;*
3. *Assess the needs within the Department of Inland Fisheries and Wildlife, the Department of Conservation and the Department of Marine Resources for enforcement of existing snowmobile, all-terrain vehicle and watercraft laws; assess the capital needs for equipment or facilities for maintenance of trails or access to land or water; and determine how existing revenue allocated for snowmobile, all-terrain vehicle and watercraft programs is being used by those departments;*
4. *Seek input from the public; from organizations representing snowmobile, all-terrain vehicle and watercraft users, including the Maine Snowmobile Association, groups representing all-terrain vehicle users, the University of Maine Agricultural Research Station and the Maine Marine Trade Association; and from any other interested individuals or organizations; and*
5. *Review a strategic boating plan developed by the Department of Inland Fisheries and Wildlife, the Department of Conservation and the Department of Marine Resources that included a review of the existing*

² LD 2645 from the 2nd Regular Session of the 119th Legislature. The effective date of this legislation was May 10, 2000.

³ See Appendix ? for a list of Commission members.

distribution of and limits on funds allocated under the Maine Revised Statutes, Title 36, section 2903-A, a budget detailing the costs to each department to meet the goals of the plan and recommendations for changes to the law that are needed to implement the plan.

6. *Collect other data and make other recommendations the commission considers appropriate on the issue of off-road fuel consumption.*

The Resolve also directed the Commission to determine the percentage of gasoline taxes collected under the Maine Revised Statutes, Title 36, section 2903 that is paid on gasoline consumed by snowmobiles, all-terrain vehicles and motorboats based upon an analysis of the data collected during its study process.

Study process

As previously noted, the Commission held meetings and public hearings in Fort Fairfield, Augusta, Boothbay Harbor, Greenville and Naples between August 29, 2000 and November 29, 2000.

Summary of public comments

The Commission received a wide range of testimony at its public hearings from individual ATV, snowmobile and boating enthusiasts, representatives of local snowmobile and ATV clubs and statewide organizations representing those user groups and boating interests, local officials involved with economic development or town management, statewide organizations such as the Coastal Conservation Association, the Maine Boat Owner's Association, the Maine Municipal Association, the Automobile Association of America (Northern New England Division), the Maine Motor Transport Association, the Maine Better Transportation Association, the Maine Marine Trade Association and others.

The several issues raised by those who testified at the public hearings are summarized below:

Issues Related to Economic development. Snowmobiling, boating and ATV use both offer major economic development opportunities for the State, particularly in the northern and central regions. Recent studies of snowmobiling in Maine funded by the Maine Snowmobile Association have estimated that snowmobiling contributed \$226 million to the State's economy during the 1995-96 season and \$261 million to the economy during the 1997-98 season.⁴ Those

⁴ Reiling, Stephen, Mary Kohchen and Alan Kezis (1996). An Economic Evaluation of Snowmobiling in Maine. The Department of Resource Economics and Public Policy, University of Maine and Reiling, Stephen (1998). An Economic Evaluation of Snowmobiling in Maine: An

studies further estimate that snowmobiling accounts for 3100 full time equivalent jobs in Maine. A majority of those economic benefits from snowmobiling accrue to the central and northern areas of the State and, based on the testimony received, have become one of the most important industries in those regions. The Maine Snowmobile Association concurs with the Department of Conservation and others who state that Maine is positioned now to be competitive with Ontario and Northern Michigan as a destination for out-of-state snowmobilers. Although comparable data was not available for ATV use, the sales and use of ATV's in Maine has increased significantly in recent years. Registration data from the Department of Inland Fisheries and Wildlife indicates that while snowmobile registrations have increased by 26% over the past decade, ATV registrations have increased 56% over that same period.⁵ The Commission heard testimony from the northern and central areas of the State suggesting that this growth in ATV use may offer as much economic development potential as snowmobiles, if not more, although it was noted that the infrastructure to support the use of ATV's to that extent does not currently exist.

Issues related to existing revenues from the state. Representatives of the snowmobiling, ATV user and boating communities testified that, in their opinion, state funding for those programs is inadequate and should be increased. Most of the testimony of this point came from the snowmobile clubs, who receive funding from the Snowmobile Trail Fund for snowmobile trail grooming and maintenance costs. Data from the Department of Conservation (see Appendix ?) indicate that local grants from the snowmobile trail fund are sufficient to fund less than 60% of the costs incurred by municipalities and snowmobile clubs to maintain the trails.⁶ Trail groomers, for example, were cited as costing between \$60,000 to \$100,000 each and were being purchased by the clubs from locally raised revenues;

Issues related to land-owner relations. Because most of the snowmobile and ATV trails are on privately held land and are used only with the permission of the landowner, developing and maintaining good relations between users and landowners is essential. Testimony suggested, however, that land owner relations are being stressed by such things as increases in the number and types of machines using the trails, by the increased presence of nonresident users who may not be as vested in community relations as are resident users, and the new and unresolved land use issues being raised by the large increase in ATV use during the non-winter months, such as erosion of

update for 1997-98. The Department of Resource Economics and Public Policy, University of Maine

⁵ See Table ?. The Maine Snowmobile Association testified that resident snowmobile registrations have been relatively stable over recent years, although nonresident registrations are up 95% over the past 5 years.

⁶ Capital expenditures are not eligible for reimbursement under the snowmobile trail maintenance grant program.

trails by use during the summer and possible spread of disease among potato fields. Many people testified that education is a key to better land-owner relations and stressed that such land owner relations efforts are most effective when implemented at the local level;

Issues related to volunteerism. Volunteers who are members of local clubs account for almost all of the time spent on trail maintenance, education and land owner relations. Although the State does offer some assistance in education and land owner relations and does provide funding to offset some of the costs of trail maintenance, the snowmobile trail system in the state is largely supported and maintained by local volunteers. Many people who testified made the point that the volunteer base within this industry is being increasingly stressed as the industry itself grows and that younger people coming into snowmobiling and ATVing are not participating as volunteers as do the older members of the clubs. The declining interest in volunteerism poses a significant set of problems for continued maintenance of the snowmobile trail system;

Issues related to local/state cooperation. The local club snowmobile and ATV club members testified that land owner relations and education can be effectively accomplished on the local level, but that additional help in funding for capital equipment to expand and maintain the snowmobile trail systems and funding for promoting and advertising recreational opportunities must come from the state. This is particularly important given the increased cost in purchasing and operating trail maintenance equipment and the apparent decline in interest or ability for people to volunteer their time for such activities;

Issues related to enforcement. The general consensus seemed to be that enforcement of boating and snowmobile laws was good and was being effective, but that enforcement of ATV laws was minimal and needed to be improved. In all three areas, the consensus was that education was a key factor; and

Issues related to highway funding. The Maine Municipal Association, the American Automobile Association of America, the Maine Motor Transport Association and others testified against any recommendation that would divert additional gasoline taxes from the highway fund to snowmobile, ATV or boating programs. They expressed concerns that such recommendations, if enacted, would reduce the State's ability to adequately maintain its roads and bridges and would exacerbate a structural gap in the highway fund that is anticipated in the next biennium. Several of those testifiers suggested the Commission look at other sources of revenue, such as General Fund bonds, to fund the capital needs facing the snowmobile, ATV and boating programs.

Options offered for consideration by the public. Several suggestions were offered during the public hearings on ways in which the state could help

support and enhance outdoor recreational opportunities involving snowmobile, boating and ATV use. Although the Commission is not offering any specific recommendations on these options in this interim report, those options offered by the public for consideration included:

- Increase funding for capital equipment and maintenance costs?
- Increase registration fees?
- Increase local club fees?
- Add a “super-sport” option on snowmobile and ATV registrations?
- Sales tax exemption for trail grooming equipment?
- More enforcement, particularly with respect to ATV laws?
- Annual snowmobile and ATV registration forms should include an estimate of gasoline use (similar to boat excise tax forms)?

The Commission learned during its public hearing process that several of these recommendations may be submitted as legislation during the First Regular Session of the 120th Legislature. For example, the Board of the Maine Snowmobile Association recently approved a legislative agenda that includes increasing the snowmobile registration fees and dedicating that increase towards funding trail grooming equipment, creating a sales tax exemption of capital equipment purchased by clubs or other organizations which have a trail grooming contract with the Department of Conservation, requiring liability insurance in order to register a snowmobile, eliminating reciprocity agreements on all non-resident snowmobile registrations and amending the reporting requirements pertaining to snowmobile accidents involving a single snowmobile. The Commission did not take a formal position on any of these proposals.

History of gas tax allocations

In addition to the boating facilities plan and the ATV and snowmobiles needs assessment, the Commission also reviewed the legislative history of state law pertaining to snowmobile, all-terrain vehicle and motorboat gas tax allocations and the historical and projected revenues allocated pursuant to those laws for those various programs. A brief summary of the percent and distribution of the gas tax allocations for each group is provided below, along with a table showing the amount of money allocated for those programs over recent years.⁷

Motorboat users. The amount of total gas tax revenues set aside based on gas consumed by motorboats is:

Two percent of gas tax revenues, not to exceed \$2 million. After deducting the gas tax refunds paid to commercial motorboat operators, 20% percent of the remainder of the 2% goes to the Department of Marine

⁷ For the purposes of these calculations, the law excludes taxes derived from the sale of aircraft fuel.

Resources for commercial and sports fisheries activities and 80% to the Boating Facilities Fund in the Department of Conservation.

When originally enacted in 1965, this provision allocated 1.25% of gas tax funds to the same agencies in the same proportion, without any cap.⁸ In 1983, a \$555,000 annual cap on those allocations was enacted.⁹ In 1987, the percent was increased from 1.25% to 2% and the cap was increased to \$2 million.¹⁰

It is important to note that these boating programs did not receive any additional funds as a result of the recent increase in state gasoline taxes because the gas tax allocations for those programs are capped at \$2 million per year. That cap would also prevent any additional gas tax revenue going to those programs if state gas taxes were increased in the future.

Snowmobile users. The amount of gas tax revenues set aside based on gas consumed by snowmobiles is:

0.5% of gas tax revenue. Ten percent of this amount goes to the Department of Inland Fisheries and Wildlife to support its snowmobile registration program. The remaining 90% goes to the Department of Conservation's snowmobile trail fund.

This provision was enacted in 1973.¹¹ In 1995, the Legislature enacted an additional provision allocating an additional 0.17% of the gas tax revenues to Department of Conservation's snowmobile trail fund.¹²

All-terrain vehicle users. The amount of gas tax revenue set aside based on gas consumed by ATV's is:

0.045% of gas tax revenues, all of which goes to the ATV recreational management fund administered by the Department of Conservation. This law was enacted in 1995.¹³

The following table presents the historical and projected allocations from gas tax revenues for snowmobile, ATV and watercraft programs.¹⁴

⁸ Public Laws of 1965, c. 395, § 2.

⁹ Public Laws of 1983, c. 94, § C, 11.

¹⁰ Public Laws of 1987, c. 793, § A, 10.

¹¹ Public Laws of 1973, c. 613, § 22.

¹² Public Laws of 1995, c. 446 § 1. This additional allocation makes the snowmobile trail fund's share equal to 0.62% of the total gas tax revenues (90% of .5% plus .17%= .62%).

¹³ Public Laws of 1995, c. 446 § 2.

¹⁴ Prepared by the Office of Fiscal and Program Review at the request of the Commission.

Distribution of Gas Tax Revenue

Fund Department/Program	Actuals FY 96	Actuals FY 97	Actuals FY 98	Actuals FY 99	Actuals FY00	Budgeted FY01	Budgeted FY02	Budgeted FY03
Total Gas Tax Collections:								
Total Gas Tax Collections	\$120,592,654	\$121,350,421	\$124,471,080	\$136,268,424	\$146,190,243	\$147,230,460	\$148,577,897	\$149,940,563
Highway Fund (All collections not otherwise designated - see below)								
HF Highway Fund	\$117,680,092	\$118,471,766	\$121,456,100	\$133,571,324	\$143,128,178	\$144,177,762	\$145,515,565	\$146,868,488
Motorboats (36 MRSA, §2903-A) - 2% of total excise tax, not to exceed \$2,000,000 (split after refunds to commercial motorboats - 20% to Marine Resources and 80% to Boating Facilities Fund):								
Commercial Motorboat Refunds	\$93,850	\$99,526	\$89,022	\$75,115	\$76,243	\$75,000	\$75,000	\$75,000
OSR Marine Resources	\$397,794	\$370,576	\$405,914	\$355,001	\$390,899	\$385,000	\$385,000	\$385,000
OSR Conservation - Boating Facilities Fund	\$1,591,174	\$1,536,983	\$1,623,656	\$1,420,003	\$1,563,597	\$1,540,000	\$1,540,000	\$1,540,000
Subtotal - §2903-A	\$2,082,818	\$2,007,085	\$2,118,591	\$1,850,119	\$2,030,738	\$2,000,000	\$2,000,000	\$2,000,000
Snowmobiles (36 MRSA, §2903-B) - 0.67% of total excise tax (0.05% to IF&W and .62% to Snowmobile Trail Fund):								
GF Inland Fisheries and Wildlife	\$61,730	\$60,534	\$62,685	\$59,230	\$71,537	\$73,617	\$74,292	\$71,972
OSR Conservation - Snowmobile Trail Fund	\$723,549	\$756,154	\$777,289	\$734,446	\$894,842	\$912,827	\$921,180	\$932,630
Subtotal - §2903-B	\$785,280	\$816,688	\$839,973	\$793,675	\$966,379	\$986,444	\$995,472	\$1,004,602
ATV's (36 MRSA, §2903-C) - 0.045% of total excise tax to ATV Recreational Mgmt. Fund:								
OSR Conservation - ATV Rec. Mgmt. Fund	\$44,464	\$54,882	\$56,416	\$53,307	\$64,948	\$66,254	\$66,860	\$67,473
Subtotal - §2903-C	\$44,464	\$54,882	\$56,416	\$53,307	\$64,948	\$66,254	\$66,860	\$67,473

Overall program costs and expenditures for Fiscal Year 2000

The Commission spent a considerable amount of time trying to identify all the revenue sources that fund snowmobile, ATV and boating programs and the full range of costs incurred at all levels of government to administer those programs and to enforce snowmobile, ATV and boating laws. Although much of that information is presented in the following tables, more work is needed to fully quantify the administrative and enforcement costs, particularly those incurred by municipal governments and law enforcement agencies other than the Maine Warden Service and the Maine Marine Patrol.

As can be seen in Table 1, total gasoline tax allocations in Fiscal Year 2000 for all three program areas totaled revenues were slightly less than \$3 million dollars.¹⁵ Gasoline tax revenues, however, represent only about 30% of the total state costs of administering and enforcing snowmobile, boating and ATV programs and laws. Tables 2 and 3 on the following pages show in a more comprehensive manner the amount and sources on money collected by the agencies for those programs and how those monies are expended. As can be seen in Table 2, approximately \$8.8 million in revenues were allocated, appropriated or transferred to the agencies from a number of sources including gasoline tax allocations, general fund appropriations, fees from licenses and registrations and a variety of federal funding sources. Table 3 shows the

¹⁵ Actual total from Table 1, excluding commercial motorboat refunds, is \$2,985,822 in FY 2000.

administrative, enforcement and other costs incurred by the agencies to operate snowmobile, boat and ATV programs during Fiscal Year 2000.

**Table 2
EXPENDITURES BY PROGRAM AREA AND FUNCTION FOR FISCAL YEAR 2000**

	<u>Boats</u>	<u>Snowmobiles</u>	<u>ATV's</u>	<u>Row Total</u>
Marine Resources				
Program Administration	\$0	\$0	\$0	\$0
Licensing	\$0	\$0	\$0	\$0
Education	\$0	\$0	\$0	\$0
Enforcement	\$768,717 ¹	\$0	\$0	\$768,717
Access	\$0	\$0	\$0	\$0
Access Maintenance	\$0	\$0	\$0	\$0
Grants	\$0	\$0	\$0	\$0
Other	<u>\$975,912</u> ²	<u>\$0</u>	<u>\$0</u>	<u>\$975,912</u>
Sub-Total DMR	\$1,744,629	\$0	\$0	\$1,744,629
Inland Fisheries and Wildlife				
Program Administration	\$40,000	\$35,000	\$25,000	\$100,000
Licensing	\$283,934	\$182,694	\$101,470	\$568,098
Education	\$15,000	\$20,000	\$5,000	\$40,000
Enforcement	\$1,293,037	\$569,377	\$187,701	\$2,050,115
Access	\$166,000	\$0	\$0	\$166,000
Access Maintenance	\$0	\$0	\$0	\$0
Grants	\$0	\$0	\$0	\$0
Other	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Sub-Total IFW	\$1,797,971	\$807,071	\$319,171	\$2,924,213
Conservation				
Program Administration	\$135,407	\$120,986	\$14,929	\$271,322
Licensing	\$0	\$0	\$0	\$0
Education	\$0	\$46,405	\$23,268	\$69,673
Enforcement	\$0	\$0	\$0	\$0
Access	\$606,067	\$0	\$0	\$606,067
Access Maintenance	\$322,586	\$265,806	\$82,015	\$670,407
Grants	\$511,246 ³	\$2,254,017 ⁵	\$61,405	\$2,826,668
Other	<u>\$560,555</u> ⁴	<u>\$0</u>	<u>\$0</u>	<u>\$560,555</u>
Sub-Total DOC	\$2,135,861	\$2,687,214	\$181,617	\$5,004,692
TOTAL ALL AGENCIES	<u>\$5,678,461</u>	<u>\$3,494,285</u>	<u>\$500,788</u>	<u>\$9,673,534</u>

1. Includes approximate payroll costs for enforcement personnel based on the number of hours reported as engaged in boating program. Funding sources for these activities are split between GF and various OSR fund sources.
2. Includes approximate program expenditures for boat program costs, such as fuel, maintenance, insurances, etc.
3. Grants to municipalities.
4. \$27,235 Songo Lock O&M; \$147,320 navigation aids; \$136,000 transfer to IFW to match federal funds; one time \$250,000 transfer to non-federal access projects.
5. Includes one time transfer of \$150,000 GF and \$150,000 trail fund transfer for capital purchases and late payments on grants (\$14' carried forward from FY 99).

Prepared by OPLA using data provided by the agencies. November, 2000.

**Table 3
INCOME BY PROGRAM AREA AND FUNCTION FOR FISCAL YEAR 2000**

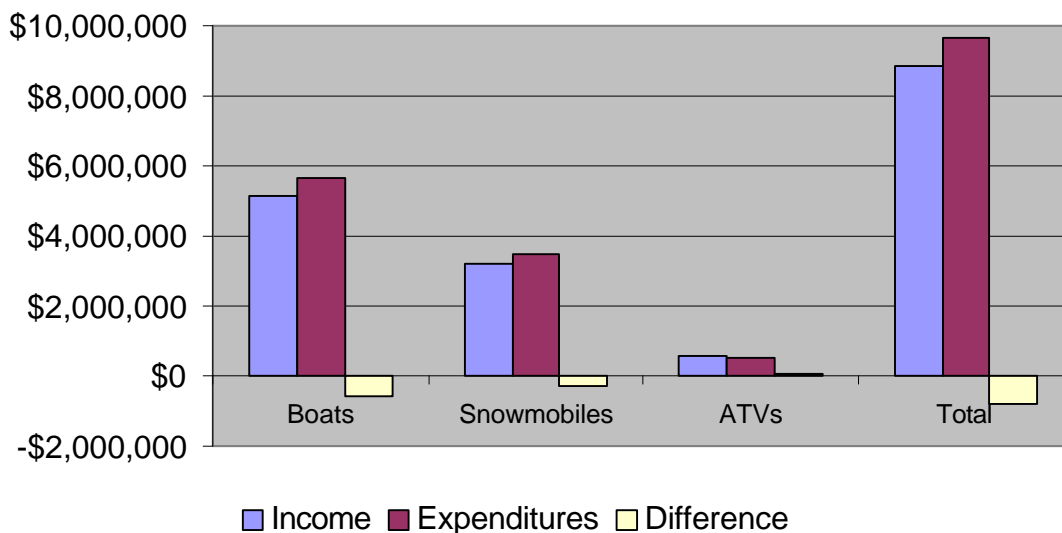
	<u>Boats</u>	<u>Snowmobiles</u>	<u>ATV's</u>	<u>Row Total</u>
Marine Resources				
Registrations or licensing	\$245,831 ¹	\$0	\$0	\$245,831
Fines	\$14,713 ¹	\$0	\$0	\$14,713
Transfers	\$0	\$0	\$0	\$0
Federal Funds	\$140,625 ²	\$0	\$0	\$140,625
GF (not captured above)	\$1,182,245 ³	\$0	\$0	\$1,182,245
OSR (not captured above)	\$161,215 ³	\$0	\$0	\$161,215
Other	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Sub-Total DMR	\$1,744,629	\$0	\$0	\$1,744,629
Inland Fisheries and Wildlife				
Registrations or licensing	\$1,076,692	\$715,328	\$349,845	\$2,141,865
Fines	\$45,974	\$0 ⁶	\$0 ⁶	\$45,974
Transfers	\$136,000 ⁴	\$71,537 ⁷	\$0	\$207,537
Federal Funds	\$548,391 ⁵	\$0	\$0	\$548,391
GF (not captured above)	\$0	\$0	\$0	\$0
OSR (not captured above)	\$0	\$47,184	\$0	\$47,184
Other	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Sub-Total IFW	\$1,807,057	\$834,049	\$349,845	\$2,990,951
Conservation				
Registrations or licensing	\$0	\$0	\$0	\$0
Fines	\$0	\$0	\$0	\$0
Transfers	\$1,539,005 ⁸	\$1,303,070 ¹⁰	\$158,693 ¹⁰	\$3,000,768
Federal Funds	\$0	\$0	\$0	\$0
GF (not captured above)	\$0	\$150,000 ¹¹	\$0	\$150,000
OSR (not captured above)	\$0	\$9,790	\$0	\$9,790
Other	<u>\$29,538</u> ⁹	<u>\$894,842</u> ⁸	<u>\$64,948</u> ⁸	<u>\$989,328</u>
Sub-Total DOC	\$1,568,543	\$2,357,702	\$223,641	\$4,149,886
TOTAL ALL AGENCIES	<u>\$5,120,229</u>	<u>\$3,191,751</u>	<u>\$573,486</u>	<u>\$8,885,466</u>

1. Received from IFW
2. DMR's share of US Coast Guard grant funds from the Recreational Boatin Safety Federal financial assistance program.
3. Estimated based on funding distribution of enforcement personnel. 88% supported by GF and 12% by OSR.
4. Transfer from DOC. An additional transfer of \$264,000 in FY 2000 is not shown since it was a one time transfer.
5. From Coast Guard.
6. Not specified when received from court.
7. Gas tax transfer from DOC.
8. Gas tax transfer from Taxation to DOC
9. Songo Lock fees.
10. Transfer from IFW to DOC.
11. One time capital transfer.

Prepared by OPLA using data provided by the agencies. November, 2000.

The following graph shows that, on balance, the costs of operating snowmobile, boating and ATV programs exceeded the revenue allocated or appropriated for those programs by approximately \$788,000 in Fiscal Year 2000.¹⁶

Income and Expenditures for Boating, Snowmobile and ATV programs for Fiscal Year 2000 (DOC, IFW and DMR)



Funding to provide snowmobile crossings across bridges and other bridge related boating and fishing access projects in high priority locations

Legislation submitted during the 1st Regular Session of the 119th Legislature proposed to require that new bridge construction and reconstruction provide for a sidewalk or lane dedicated for the use of off-road recreational vehicles such as snowmobiles.¹⁷ Another bill submitted during that session proposed to create a recreational access committee to provide direction to the Commissioner of Transportation on improvement to state roads and bridges to allow for safe access for recreation and fishing.¹⁸ During the worksessions on those bills, the Departments of Transportation, Conservation, Inland Fisheries and Wildlife and

¹⁶ In recent years, the deficit between revenues and expenditures has been funded by drawing down cash balances carried forward from previous years. If the current rate of drawing down those balances continues, the DOC estimates those cash balances to last for only one or two more years.

¹⁷ LD 273, sponsored by Representative Cameron.

¹⁸ LD 998, sponsored by Senator Harriman.

Marine Resources agreed in an interagency memorandum of agreement to work those bills and to report back on the progress of those interagency efforts to improve public and recreational access to water bodies and snowmobile access proposed memorandum of agreement and reported one of those bills out of committee with a single provision report back to the Transportation Committee in February of 2001 and again in February of 2003 on those interagency efforts.

As part of this study, this Commission reviewed a preliminary list of “high priority” agencies as part of their work under that memorandum of agreement. The 74 projects included in that list all involved bridges that were scheduled for replacement projects, however, did not include money to fund the estimated \$1.7 and water access enhancements.

The Commission concluded that a bond to fund the construction of snowmobile crossings across bridges in high priority bridges locations and was essential to safety of snowmobilers and the general public on bridges that receive significant

Commission is recommending a \$2.9 million General Fund Transportation bond be issued that includes \$2 million to fund high priority snowmobile crossing

bridges in Canton and Ashland were scheduled for replacement within the next two years and these bonds would provide funds to include a snowmobile w bridges. The bridges in Forks, Bethel and Bingham were not scheduled for replacement in the near future, however the bond would

snowmobile crossing lane. The remaining \$900,000 proposed in the bond is to fund “high priority” boating and fishing access opportunities at other bridges

projects is included as Appendix D.

Work plan for 2001

Legislation to reauthorize the Commission for an additional year, until December as essential for completing the work for which it was originally created. As noted earlier in this report, the Commission concluded that more information on the

amount of gasoline consumed by boats, snowmobiles and ATVs must be collected before any recommendations can be made on the equitable distribution gasoline tax revenues among those user groups. For that reason, and pursuant to the authority granted in its enabling legislation to undertake such research as is necessary to collect such data, the Commission has contracted with the Margaret Chase Smith Center for Public Policy at the University of Maine to conduct surveys of snowmobile, boating and ATV users in order to estimate the total annual gasoline consumed by each of those sectors. That contract, which has been implemented through a cooperative agreement between the University of Maine and the Departments of Conservation, Inland Fisheries and Wildlife, Marine Resources and Transportation, requires a report on gasoline consumption by ATV users by March 15, 2001, a report on gasoline consumption by snowmobiles by June 15, 2001 and a report on gasoline consumption by motorboats by November 30, 2001. The cooperative agreement and a summary of the survey methodology are attached as Appendix H.

The Commission's work plan during 2001, if it is reauthorized by the Legislature, will require a series of meetings throughout the year to oversee the survey process and to finalize any remaining work on the boating facilities plan and the ATV and snowmobile needs assessment.

With respect of the Commission's oversight of the survey process, we anticipate the following process will be followed for each of the three surveys:

1. The Commission will meet with staff from the University of Maine, Margaret Chase Smith Center for Public Policy, to review and discuss topics and issues to be addressed in the survey. The Commission completed this step with respect to the survey of ATV users when it met in Naples on November 29, 2000. A meeting in January of 2001 is anticipated to complete this step with respect to the survey of snowmobile users and a meeting in March or April is anticipated with respect to the boating survey;
2. The Commission and the University work cooperatively to solicit input from user groups on those topics (or other suggested topics);
3. Staff from the University consult directly with relevant department staff in the development of specific survey questions;
4. Survey questions are finalized by the University and made available to the Commission and the agencies prior to submission of those questions to the University's internal review board for approval. Any comments on the final questions must be addressed to the Commission chairs through OPLA staff within one week of receipt of the questions;
5. Survey is administered to a randomly selected sample of users;
6. The Commission meets to review and discuss the final report for each survey on or around the final reporting date specified in the cooperative agreement. We expect to meet in March to review the ATV survey

6. results, in June to review the snowmobile survey results and in November to review the final boating survey results.

We estimate that the above work plan will require the Commission to meet at least 5 times during 2001. We anticipate that we have sufficient funds remaining in our original budget to fund all costs associated with those meetings.