

01 DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
670 BUREAU OF PARKS AND LANDS
Chapter 9: RULES FOR SNOWMOBILE CAPITAL EQUIPMENT GRANT IN AID PROGRAM

SECTION 1. SCOPE AND PURPOSE

Title 12, M.R.S.A., Chapter 937, 13104-4 authorizes the Bureau’s Off Road Recreational Vehicle ~~Division- Office~~ to award grants to qualified snowmobile clubs or political subdivisions to assist any entity that has a snowmobile trail-grooming contract with the Bureau in the purchase of trail-grooming equipment to maintain snowmobile trails. The purpose of this rule is to establish the Bureau’s Snowmobile Capital Equipment Grant in Aid Program (“Program”) and its associated Capital Equipment Fund (“Fund”), identify the application and scoring process for qualified snowmobile clubs or political subdivisions seeking to use to apply for Capital Equipment Grants (“Grants”), and to define the terms and the conditions of these Grants.

SECTION 2. ELIGIBILITY REIMBURSEMENT PROCESS AND REQUIREMENTS

1. General Eligibility Requirements

The Program is available to any political subdivision or a snowmobile club, as conditioned below. (Herein after referred to as “applicant” or “grantee”).

To be eligible, a snowmobile club must be incorporated and registered with the Program. Registration requires ~~consists of~~ providing the Bureau with a completed copy of the club’s “Request for Taxpayer Identification Number” (IRS Form W-9) by December 1st to be eligible for Grants to be awarded during that ~~current~~ winter season. The snowmobile club must also file an Officer Update Form-Snowmobile Club Information form with the Bureau each year. The club must be legally incorporated with the Secretary of State, Bureau of Corporations, Elections and Commissions and in good standing.

Operators of capital grant supported equipment must successfully complete the Off-Road Vehicle Division’s “Maine Trail Groomer Operator Awareness Training” program prior to operating said equipment.

2. Amount of Grant and Application Process

To receive a Grant, the applicant must submit a complete application, as supplied by the Bureau. In order to receive the maximum allowable grant or reimbursement, the application must be received by the Bureau or postmarked on or before ~~April~~ June 15th of the fiscal year in which a purchase was made or the applicant entered into a purchase order with a vendor. For the purposes of these rules, unless otherwise stated, a year means the State’s fiscal year that which begins on July 1st and ends on June 30th. Applications postmarked after April-June 15th of the fiscal year in which the purchase was made or the applicant entered into a purchase order with a vendor will be denied.

A. **Amount of Grant**

- (1) The Bureau will, on an annual basis, determine the reimbursement percentage. approved applicants a percentage of the capital equipment purchase cost from the Fund. Awards will be granted based on the results of the application review and scoring sheet. The first award will be given to the applicant that received the highest score. The second award will be given to the applicant with the next highest score. This process will continue by awarding grants to applicants with the next highest score until the amount of money available for reimbursement is depleted or when the Bureau determines in its best judgment that no further awards should be made. In the event of a tie in the scoring, applicants that received the same score will be treated the same to the greatest extent possible. Awards will continue to be based upon the percentage of reimbursement determined by the Bureau. The Bureau will determine the percentage of reimbursement by comparing the money available in the fund as of June 1st of the year the grant is awarded, to the total cost of all equipment purchases and purchase orders approved for reimbursement. The resulting percentage is then applied to each approved purchase or purchase order to determine the dollar amount of an individual Grant. An applicant may only submit one request a Grant request for more than one piece of equipment in a per fiscal year. The disbursement of funds is always subject to the availability of sufficient moneys in the Fund for this purpose.
- (2) Equipment purchased under the program or equipment described in an approved purchase order must cost a minimum of \$1500 for a drag unit or \$3000 for a power unit. The purchase price of a groomer cannot exceed \$200,000. Purchases based on approved purchase orders must be completed by July/September 15th of the calendar year in which the purchase order was approved. The Bureau will subtract the value of any previously sold equipment, trade-in and any other grants or funding received from the total cost before calculating the amount of the Grant.

B. **Application and Reimbursement Process**

- (1) The Bureau's Off Road Recreational Vehicle Division Office administers the Program. All correspondence and applications forms must be submitted to:

Maine Department of Agriculture, Conservation and Forestry,
 Bureau of Parks and Lands
 Off Road Recreational Vehicle Division Office
 Capital Equipment Grant Program
 SHS # 22
 Augusta, ME 04333-0022

- (2) The applicant must complete and submit the following documents:

- (a) Capital Equipment Grant Application ~~Agreement/Reimbursement Request~~ form (supplied by Bureau);
 - (b) A legible photocopy of a purchase order or the receipt for the proposed purchase of the equipment with buyer's and seller's names; description of equipment; purchase price, date of purchase if sale is complete, and amount credited for a trade-in of grooming equipment;
 - (c) A photograph of the equipment;
 - (d) The amount, if any, of any other grants or funding, or sale obtained from previously paid for grant equipment awarded for the purchase of the equipment.
- (3) The Bureau will review the request, calculate the appropriate Grant amount, and reimburse the grantee under using the procedure set for in Section 2 (1) (A) (1)~~the terms of the agreement, adjust and/or deny the application for cause.~~

SECTION 3. TERMS AND CONDITIONS OF APPLICATION/AGREEMENT

1. By applying for the Capital Equipment Grant, the applicant agrees to the following conditions:
 - A. The applicant and any associated officer or elected official ensure, and will continue to ensure, that the equipment purchased is maintained in a safe condition, in good repair, stored at a protected site and used for the sole purpose of winter grooming of snowmobile trails that are open to the general public at no cost.
 - B. Landowners and tenants who give permission to use the land have been notified the trails must be open at no cost to the general public for snowmobile use.
 - C. The Bureau has the sole discretion to determine if expenditures are reasonable and prudent, and whether the grantee has complied with the terms of the agreement and all applicable laws, rules and regulations.
 - D. The State shall have no responsibility for the use, maintenance, or fitness of the equipment. The applicant agrees not to assign, transfer, lease or encumber its rights or obligations under the agreement, without the Bureau's prior written consent. The applicant shall indemnify, defend, save and hold the State and its employees harmless from and against any claims, losses, liabilities, costs, expenses, damages or other obligations of any nature in any way arising out of the use, operation, maintenance, or repair of equipment.
 - E. The State may inspect any facilities or equipment used in connection with the agreement at any time.

- F. ~~Grants will be tracked for~~ Grantee must retain ownership and use the equipment for trail maintenance for periods covering six years for equipment valued at \$100,000 or more and four years for equipment valued under \$100,000 from the date on the purchase receipt. ~~If a piece of equipment is sold or traded within the grant period, a signed and dated bill of sale or trade agreement must be forwarded to the Bureau. The grant amount would then be calculated on the difference between the sold and/or traded equipment value and the new equipment being purchased.~~ The grantee must notify the Bureau in writing within 30 days of any sale, trade, destruction or abandonment of equipment purchased under the grant program.
- G. If a grantee ceases to participate in one of the Bureau's Snowmobile Club or Municipal Trail Grant Programs, or the grantee's organization disbands without forming, or being absorbed into another participating organization, or the equipment is sold, traded, abandoned or destroyed, the grantee must reimburse the Bureau twenty-five percent of the grant for each year, or portion of a year, remaining in the grant period for equipment valued under \$100,000 and seventeen percent per year for equipment valued at \$100,000 or more. If the grantee otherwise violates the terms of the grant agreement, these rules or other applicable laws, the grantee shall repay the Bureau upon its demand the entire amount granted together with interest thereon at 6% per annum. No new grants will be issued until the grantee repays the grant amount as required by this paragraph.
- H. If a piece of equipment is replaced within the grant period, the new replacement is not eligible for a grant. However, ~~the tracking and~~ reimbursement provisions under sections ~~F and G~~ applies to the replacement equipment until the original four or six year grant period expires.
- I. All Grant recipients will purchase and maintain insurance to cover the value of the equipment from loss by fire during the grant period.

STATUTORY AUTHORITY: Title 12, M.R.S.A. Chapter 937, §13104-4

EFFECTIVE DATE:

October 30, 2002

REPEALED AND REPLACED:

September 23, 2011 – filing 2011-317

CORRECTIONS:

February, 2014 – agency names, formatting