

# MAINE STATE LEGISLATURE

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(EMERGENCY)

(New Draft of H. P. 1208, L.D. 1607)  
(New Title)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

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Legislative Document

No. 1741

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H.P. 1312

House of Representatives, June 8, 1983

Reported by Representative Greenlaw from the Committee on Fisheries and Wildlife and printed under Joint Rule 2.

Original bill presented by Representative MacEachern of Lincoln.

Cosponsored by Representative Roderick of Oxford and Senator Dow of Kennebec.

EDWIN H. PERT, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-THREE

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AN ACT to Provide Additional  
Revenue to the Department of Inland  
Fisheries and Wildlife by an Increase in  
License Fees and to Make Allocations from  
the Department of Inland Fisheries and  
Wildlife for the Fiscal Years Ending June  
30, 1984, and June 30, 1985.

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

Whereas, the 90-day period will not terminate until after the beginning of the next fiscal year; and

1           Whereas, certain obligations and expenses inci-  
2 dent to the operation of the Department of Inland  
3 Fisheries and Wildlife will become due and payable on  
4 or immediately after July 1, 1983; and

5           Whereas, in the judgment of the Legislature,  
6 these facts create an emergency within the meaning of  
7 the Constitution of Maine and require the following  
8 legislation as immediately necessary for the preser-  
9 vation of the public peace, health and safety; now,  
10 therefore,

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

13           Sec. 1. Purpose. The Legislature finds that  
14 illegal hunting and fishing contribute to the deple-  
15 tion of wildlife. In order to provide for additional  
16 enforcement necessary to aid the control of this  
17 illegal hunting and fishing, the Legislature finds  
18 that additional district wardens shall be employed by  
19 the department as provided in this Act.

20           Sec. 2. 12 MRSA §7076, sub-§6, as amended by PL  
21 1981, c. 644, §5, is further amended to read:

22           6. Residents in Armed Forces. A combination  
23 fishing and hunting license shall be issued upon pay-  
24 ment of \$5 §13, plus the issuing fee, to a Maine res-  
25 ident on active duty in the Armed Forces of the  
26 United States, his spouse and children. These persons  
27 shall be issued all other licenses or permits at res-  
28 ident fees. The license will be valid during the year  
29 of issue.

30           Sec. 3. 12 MRSA §7101, sub-§5, as amended by PL  
31 1981, c. 414, §§11 to 13, is repealed and the follow-  
32 ing enacted in its place:

33           5. Schedule of fees. The schedule of fees is as  
34 follows:

35           A. Resident junior hunting license.....\$13  
36           (10 years of age or older and under 16)

37           B. Resident hunting license.....\$12  
38           (16 years of age or older)

- 1        C. Resident combination hunting and fishing li-
- 2        cence.....\$20
  
- 3        D. Resident combination archery and fishing li-
- 4        cence.....\$20
  
- 5        E. Nonresident junior hunting license.....\$20
- 6        (10 years of age or older and under 16)
- 7        (Permits hunting of all species, except deer and
- 8        bear with firearms)
  
- 9        F. Nonresident small game hunting license....\$50
- 10       (Permits hunting of all species, except deer and
- 11       bear)
  
- 12       G. Nonresident big game hunting license.....\$85
- 13       (Permits hunting of all species, including deer
- 14       and bear)
  
- 15       H. Nonresident combination hunting and fishing
- 16       license.....\$115
  
- 17       I. Alien small game hunting license.....\$65
- 18       (Permits hunting of all species, except deer and
- 19       bear)
  
- 20       J. Alien big game hunting license.....\$150
- 21       (Permits hunting of all species, including deer
- 22       and bear)
  
- 23       K. Alien combination hunting and fishing license
- 24       .....\$175

25       Sec. 4. 12 MRSA §7102, sub-§3, as amended by PL  
 26       1981, c. 414, §15, is repealed and the following  
 27       enacted in its place:

28       3. Schedule of fees. The schedule of fees is as  
 29       follows:

- 30       A. Resident archery license.....\$12
  
- 31       B. Resident combination archery hunting and
- 32       fishing license.....\$20
- 33       (available from the department in Augusta only)
  
- 34       C. Nonresident archery license.....\$40

1           D. Alien archery license.....\$110

2           Sec. 5. 12 MRSA §7105, sub-§2, as amended by PL  
3 1981, c. 414, §19, is further amended to read:

4           2. Fee. The fee for a special commercial shoot-  
5 ing area hunting license is \$9 \$12.

6           Sec. 6. 12 MRSA §7151, sub-§3, ¶C, as amended by  
7 PL 1979, c. 704, §8, is further amended to read:

8           C. Any resident who procures a 3-day 5-day li-  
9 icense may exchange it for an annual resident  
10 fishing license in the town in which he resides  
11 upon the payment of \$1 to the clerk or issuing  
12 agent.

13           Sec. 7. 12 MRSA §7151, sub-§5, as amended by PL  
14 1981, c. 414, §21, is further amended to read:

15           5. Schedule of fees.

16           A. Resident fishing license.....\$9 \$12  
17 (16 years of age or older)

18           B. Resident combination hunting and fishing li-  
19 cence.....\$16 \$20

20           C. Resident combination archery hunting and  
21 fishing license.....\$16 \$20

22           D. Junior nonresident fishing.....\$3-50  
23 (12 years of age or older and under 16)

24           E. Resident or nonresident 3-day 5-day fishing  
25 license.....\$9 \$12  
26 (Valid for 3 5 days from date indicated on li-  
27 cense)

28           F. Nonresident 7-day fishing.....\$17  
29 (Valid for 7 days from date indicated on license)

30           G. Nonresident 15-day fishing license....\$20 \$25  
31 (Valid for 15 days from date indicated on li-  
32 cense)

33           H. Nonresident season fishing license....\$30 \$45

1 (16 years of age or older)

2 I. Alien season fishing license.....~~\$50~~ \$60  
3 (16 years of age or older)

4 Sec. 8. 12 MRSA §7171, sub-§2, as amended by PL  
5 1979, c. 543, §18, is further amended to read:

6 2. Fee. The fee for a live bait dealer's license  
7 shall be ~~\$15~~ \$25 for each calendar year.

8 Sec. 9. 12 MRSA §7235, sub-§2, as repealed and  
9 replaced by PL 1979, c. 543, §24, is amended to read:

10 2. Fee. The annual fee for a breeder's license  
11 is ~~\$15~~ \$25.

12 Sec. 10. 12 MRSA §7301, sub-§7, as repealed and  
13 replaced by PL 1979, c. 543, §26, is amended to read:

14 7. Fee. The annual fee for a resident guide li-  
15 cense is ~~\$34~~ \$50. The annual fee for a nonresident  
16 guide license is ~~\$130~~ \$150. The annual fee for an  
17 alien guide license is ~~\$155~~ \$175.

18 Sec. 11. 12 MRSA §7351, sub-§2, as amended by PL  
19 1979, c. 543, §31, is repealed and the following  
20 enacted in its place:

21 2. Fee. The annual fee for a taxidermist li-  
22 cense is \$20.

23 Sec. 12. Allocation of Department of Inland  
24 Fisheries and Wildlife funds. In order to provide  
25 for the expenditures necessary for the operation of  
26 the Department of Inland Fisheries and Wildlife for  
27 the next 2 fiscal years, from July 1, 1983, to June  
28 30, 1984, and from July 1, 1984, to June 30, 1985,  
29 the following sums or as much thereof as shall sever-  
30 ally be found necessary, as designated in the follow-  
31 ing tabulations, are allocated out of any moneys law-  
32 fully available to the department. Upon receipt of  
33 allotments duly approved by the Governor based upon  
34 work programs submitted to the State Budget Officer,  
35 the State Controller shall authorize expenditures of  
36 these allocations on the basis of these allotments  
37 and not otherwise.

1	<u>1983-84</u>	<u>1984-85</u>
2	<u>INLAND FISHERIES AND</u>	
3	<u>WILDLIFE, DEPARTMENT OF</u>	
4	Fish and Wildlife -	
5	Watercraft	
6	Registration and Safety	
7	Unallocated           \$ 467,035	\$ 467,035
8	Fish and Wildlife -	
9	Snowmobile	
10	Registration	
11	Unallocated           348,860	348,860
12	Fish and Wildlife -	
13	Central	
14	Administrative Services	
15	Unallocated           9,097,330	10,469,288
16	The funds received from	
17	the license fee increases	
18	contained in this Act	
19	shall be allocated first	
20	to increase the number of	
21	district wardens employed	
22	in order to increase and	
23	maintain the total number	
24	of full-time, permanent	
25	game wardens employed by	
26	the department at 126. No	
27	funds received by the	
28	department from the li-	
29	cense fee increases con-	
30	tained in this Act may be	
31	allocated to increasing	
32	the number of employees,	
33	employed on the effective	
34	date of this Act, in any	
35	other division, bureau or	
36	section of the department	
37	until the acts required in	
38	this paragraph are accom-	
39	plished.	
40		
41	Total current services       \$9,913,225	\$11,285,183

1           Amounting to \$9,913,225 or  
2           the fiscal year ending  
3           June 30, 1984, and  
4           \$11,285,183 for the fiscal  
5           year ending June 30, 1985.

6           **Sec. 13. Reduction of revenue.** In the event  
7           that actual revenue fails to equal estimates during  
8           either year of the biennium, the commissioner shall  
9           so report to the Governor and he may temporarily cur-  
10          tail allotments so that expenditures will not exceed  
11          the anticipated income.

12          **Sec. 14. Revenue in excess of estimates.** Actual  
13          revenue, in excess of that estimated and approved by  
14          the Legislature, received in either year of the bien-  
15          nium may be utilized by the department for current  
16          programs when recommended by the commissioner and the  
17          allotment of these funds is approved by the Governor.

18          **Sec. 15. Unencumbered allocated balances.** At  
19          the end of each year of the biennium, all unencum-  
20          bered allocated balances, including existing bal-  
21          ances, representing inland fisheries and wildlife  
22          moneys shall be set aside in a separate account and  
23          may be used for other current programs when recom-  
24          mended by the commissioner and the allotment of these  
25          funds is approved by the Governor.

26          **Sec. 16. New programs established by the 111th**  
27          **Legislature.** In the event that legislation concern-  
28          ing the department is enacted by the 111th Legis-  
29          lature which requires an expenditure in addition to  
30          that now shown in section 12, the department is  
31          authorized to carry out the intent of the legislation  
32          through the use of such funds as are available. The  
33          same procedure as to the allotment of these funds  
34          shall be followed as that outlined in sections 12 and  
35          13.

36          **Sec. 17. Allocation to pheasant stocking pro-**  
37          **gram.** The allocation to the pheasant stocking pro-  
38          gram in fiscal year 1983-84 shall not exceed the  
39          revenues raised by the sale of pheasant stamps in  
40          fiscal year 1982-83.



1           Emergency clause. In view of the emergency cited  
2      in the preamble, this Act shall take effect July 1,  
3      1983, except that section 2 to 11 of this Act shall  
4      become effective on January 1, 1984.

5   STATEMENT OF FACT

6           The Department of Inland Fisheries and Wildlife  
7      is a dedicated revenue department which is largely  
8      dependent on license fees to fund fish and wildlife  
9      law enforcement, management and research programs.

10           The most recent adjustment in fees on general  
11     hunting and fishing licenses became effective on  
12     January 1, 1980. Since that time, high inflation  
13     rates and employee pay raises mandated by collective  
14     bargaining agreements have increased the annual oper-  
15     ating expenses of the department from less than 7  
16     million dollars to approximately 9 million dollars.

17           The license fee changes proposed in this new  
18     draft will increase department revenues by approxi-  
19     mately 1.9 million dollars annually and will enable  
20     the department to continue to provide current ser-  
21     vices.

22           The license fee increases contained in this new  
23     draft shall permit the department to increase the  
24     number of district wardens employed by the department  
25     to bring the total number of permanent, full-time  
26     game wardens to 126 and to maintain that number. It  
27     is the intent of this new draft that that number be  
28     maintained by expending the revenue received from the  
29     license fee increases contained in this new draft  
30     first for that purpose. It is the expressed intent  
31     of this new draft that no funds received by the  
32     department from the fee increases contained in this  
33     new draft be expended to increase the number of  
34     employees, employed on the effective date of this new  
35     draft in any other division, bureau or section of the  
36     department until the aforementioned increase in the  
37     number of district wardens is accomplished. The  
38     increased fees are expressly intended to be expended  
39     first to improve enforcement of inland fisheries and  
40     wildlife laws.

1           This new draft is composed of relevant parts,  
2 with indicated changes, of Legislative Document's 767  
3 and 1607.

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