

MAINE STATE LEGISLATURE

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DATE: 3-23-98

(Filing No. H-1013)

MAJORITY
INLAND FISHERIES AND WILDLIFE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 304, L.D. 368, Bill, "An Act to Allow the Department of Inland Fisheries and Wildlife to Create Lifetime Fishing and Hunting Licenses"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 12 MRSA c. 707, sub-c. IV-A is enacted to read:

SUBCHAPTER IV-A

LIFETIME LICENSES

§7161. Resident lifetime licenses

1. Infants and seniors. The following resident lifetime licenses may be purchased on and after January 1, 2000:

A. For a resident who is less than 6 years of age:

(1) A resident lifetime infant fishing license. The fee for a resident lifetime infant fishing license is \$150;

(2) A resident lifetime infant hunting license. The fee for a resident lifetime infant hunting license is \$150; and

(3) A resident combination lifetime infant fishing and hunting license. The fee for a resident combination lifetime infant fishing and hunting license is \$250; and

B. For a resident who is 65 years of age or older:

(1) A resident lifetime senior fishing license. The fee for a resident lifetime senior fishing license is \$50;

(2) A resident lifetime senior hunting license. The fee for a resident lifetime senior hunting license is \$50; and

(3) A resident combination lifetime senior fishing and hunting license. The fee for a resident combination lifetime senior fishing and hunting license is \$80.

A person must be a resident to purchase a resident lifetime license under this section. Once purchased, a resident lifetime license is valid for the life of the holder without regard to subsequent changes in the legal residence of the holder. The license entitles the holder to all fishing or hunting privileges extended to residents of that same age who hold the equivalent annual license and subjects the holder to all limitations on those fishing or hunting privileges that apply to residents of that same age who hold the equivalent annual license.

Revenue from the sale of lifetime licenses is dedicated revenue and must be deposited in the Lifetime License Fund established in this subchapter. The department may establish payment procedures for licenses under this section; a license may not be issued until full payment is received.

Notwithstanding any other provision of this section, if the commissioner determines that the sale of lifetime licenses for persons 65 years of age or older will result in a loss of license revenue to the department in any fiscal year, the commissioner shall withhold from deposit to the fund an amount necessary to avoid that loss in revenue. Money withheld under this paragraph may be withheld only from revenue from the sale of lifetime licenses to persons 65 years of age or older. This paragraph is repealed on July 1, 2010.

§7162. Lifetime privileges to be honored

A lifetime license issued under this subchapter is valid for the life of the license holder unless lawfully suspended or revoked by the commissioner for a violation of fish and wildlife laws under chapters 701 to 721. The Legislature may not otherwise act in any way to limit or end the right of a person holding a lifetime license to the lifetime enjoyment of all the rights and privileges authorized by that license.

§7163. Lifetime License Fund; establishment; management

2 The Lifetime License Fund, referred to in this section as
4 the "fund," is established in the department to accept all
6 revenue derived from the sale of lifetime licenses. The
8 Treasurer of State shall administer the fund and shall invest the
10 fund, subject to the limitations of this section, for growth and
12 income in a manner consistent with the Treasurer of State's
14 fiduciary responsibilities. Money in the fund may not be
16 expended for any purpose except as provided in this subchapter.

12 1. Treasurer of State. The Treasurer of State shall
14 contract with investment firms as necessary to manage the fund;
16 may agree to the payment of reasonable management fees to those
18 firms, using money in the fund; and may direct those firms to
20 purchase or sell investment opportunities as necessary to
22 prudently manage the fund. The Treasurer of State annually may
24 reimburse the State for costs incurred to oversee the fund from
26 earnings of the fund.

22 2. Commissioner. The commissioner may accept donations to
24 the fund but may not use any principal or earnings of the fund
26 except upon the approval of the Treasurer of State and for the
28 purposes set forth in this subchapter.

26 3. Uses of the fund. Prior to July 1, 2010, the Treasurer
28 of State continuously shall reinvest all earnings of the fund and
30 may not authorize any payments from the fund or use any earnings
32 of the fund, except those necessary to pay the costs of
34 administering the fund. On July 1, 2010, and on July 1st of each
36 year thereafter, the Treasurer of State shall transfer to the
38 department an amount equal to 5 percent of the fund principal.
40 Additional interest earned by the fund, if any, must be
42 reinvested. All funds received from the department under this
44 subchapter are subject to allocation by the Legislature.

36 4. Report. The Treasurer of State shall report quarterly
38 to the commissioner and to the joint standing committee of the
40 Legislature having jurisdiction over inland fisheries and
42 wildlife matters on the status of the fund, including the sources
44 and amount of revenue deposited into the fund, interest earnings
46 and payments from the fund.'

44 Further amend the bill by inserting at the end before the
46 summary the following:

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FISCAL NOTE

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The establishment of lifetime hunting and fishing licenses will increase future dedicated revenues collected by the Department of Inland Fisheries and Wildlife. Beginning in fiscal year 1999-2000, after withholding an amount equal to any loss of General Fund revenue from the sale of regular hunting and fishing licenses, the Lifetime License Fund within the department will receive an estimated \$96,000 in dedicated revenues in fiscal year 1999-2000. These net revenues will increase to \$192,000 annually beginning in fiscal year 2000-01. Beginning in fiscal year 2009-10, the department will receive 5% of the fund's principal on an annual basis for expenditure purposes.'

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SUMMARY

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This amendment replaces the bill and is the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife.

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This amendment authorizes the issuance of lifetime fishing and hunting licenses beginning in the year 2000 to residents from zero to 5 years of age and to residents 65 years of age or older.

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Money from the sale of these licenses is dedicated to the Lifetime License Fund, created in the Department of Inland Fisheries and Wildlife, except that the commissioner may withhold funds from deposit in the account as needed to avoid a loss in license revenue. The fund is administered by the Treasurer of State, who is directed to contract with investment firms as necessary to manage the fund for growth and income over the long term. The department will receive no revenue from the fund until the year 2010, at which time the department will begin receiving annual payments from the fund in an amount equal to 5 percent of the fund principal. All funds received by the department from the fund are subject to allocation by the Legislature.

This amendment also adds a fiscal note to the bill.