

# MAINE STATE LEGISLATURE

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2016

L.D. 649

DATE: 5-17-05

(Filing No. S-197

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**AGRICULTURE, CONSERVATION AND FORESTRY**

Reported by: **MAJORITY**

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**STATE OF MAINE  
SENATE  
122ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to S.P. 204, L.D. 649, Bill, "An Act To Provide Access to Maine's Resources to Veterans of the Iraq War"

Amend the bill by striking out the title and substituting the following:

**'An Act To Provide Access to Maine's Resources to Certain Veterans'**

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

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

**Whereas, this legislation provides certain benefits to homecoming veterans of the Iraq War; and**

**Whereas, these benefits, such as a free one-year fishing license and free access to state parks would need to begin before the 90-day period ends; 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,**

**COMMITTEE AMENDMENT**

R. 078

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

4 Sec. 1. 12 MRSA §1819-A is enacted to read:

6 **§1819-A. Day use passes for certain veterans**

8 Notwithstanding section 1819, the commissioner shall enter  
10 into a memorandum of agreement with the Department of Defense,  
12 Veterans and Emergency Management for the issuance of a free day  
14 use pass to state parks and historic sites to each veteran  
16 determined by the Department of Defense, Veterans and Emergency  
18 Management to meet the criteria established in Title 37-B,  
20 section 6. The pass entitles the holder, and the holder's spouse  
22 and children when accompanied by the holder, to admission free of  
24 charge to all state parks and historic sites for the period  
26 described in Title 37-B, section 6. This section is repealed  
28 June 30, 2010.

20 Sec. 2. 12 MRSA §10853, sub-§13 is enacted to read:

22 **13. Certain veterans.** The commissioner shall enter into a  
24 memorandum of agreement with the Department of Defense, Veterans  
26 and Emergency Management for the issuance of a free resident  
28 hunting license and a free resident fishing license to each  
30 veteran determined by the Department of Defense, Veterans and  
32 Emergency Management to meet the criteria established in Title  
34 37-B, section 6 and other criteria for issuance of licenses.  
36 Each license is valid for the period described in Title 37-B,  
38 section 6. This subsection is repealed June 30, 2010.

32 Sec. 3. 37-B MRSA §6 is enacted to read:

34 **§6. Issuance of free day use pass and licenses**

36 The Commissioner of Defense, Veterans and Emergency  
38 Management, in accordance with a memorandum of agreement entered  
40 into with the Commissioner of Conservation and this section,  
42 shall issue a free day use pass to state parks and historic sites  
44 to eligible veterans. The commissioner, in accordance with a  
46 memorandum of agreement entered into with the Commissioner of  
48 Inland Fisheries and Wildlife and this section, shall issue a  
50 free fishing license and free hunting license to eligible  
veterans who meet other criteria of the Department of Inland  
Fisheries and Wildlife for the issuance of licenses.

**1. Eligibility.** The Department of Defense, Veterans and  
Emergency Management shall determine, based on an examination of  
an individual's discharge certificate from active duty services,  
also known as the DD214, whether the following criteria are met:

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A. The person is a resident of this State;

B. The person received an honorable discharge or general discharge under honorable conditions; and

C. Between October 1, 2001 and January 1, 2010, while a member of the Maine National Guard or an active or reserve member of the uniformed services as defined in 10 United States Code, Section 101(a)(5), the person served for a minimum of 3 continuous months outside the United States either:

(1) On an operational mission for which members of the reserve were ordered to active duty; or

(2) During a period of war declared by the United States Congress or a period of national emergency declared by the President of the United States or Congress.

2. Duration of passes and licenses. A license or pass issued in accordance with this section is valid for a minimum of 12 months from the date of an eligible veteran's discharge from active duty. The memoranda of agreement between the departments may allow issuance of passes or licenses for a period longer than 12 months.

3. Responsibilities of commissioner. The Commissioner of Defense, Veterans and Emergency Management shall identify a point of contact within the department to issue licenses and passes in accordance with this section and the memoranda of agreement entered into with the Department of Conservation and the Department of Inland Fisheries and Wildlife. The commissioner shall periodically report to the Department of Conservation with a listing of the names and addresses of all persons receiving passes to state parks and historic sites and the expiration dates for those passes. The department shall periodically report to the Department of Inland Fisheries and Wildlife with a listing of the names and addresses of all persons receiving fishing licenses and hunting licenses and the expiration dates for those licenses.

4. Repeal. This section is repealed June 30, 2010.

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

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**SUMMARY**

This amendment is the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It replaces the bill with a directive to the Department of Defense, Veterans and Emergency Management to enter into a memorandum of agreement with the Department of Conservation for the issuance of free day use passes to certain veterans and to enter into a memorandum of agreement with the Department of Inland Fisheries and Wildlife for the issuance of free hunting licenses and fishing licenses to certain veterans. It establishes criteria for eligibility to receive the free pass and licenses. The provisions for the complimentary pass and licenses are repealed June 30, 2010.

**FISCAL NOTE REQUIRED**  
(See attached)



# 122nd MAINE LEGISLATURE

LD 649

LR 0296(02)

**An Act To Provide Access to Maine's Resources to Veterans of the Iraq War**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Agriculture, Conservation and Forestry**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor revenue decrease - General Fund