

MAINE STATE LEGISLATURE

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1
2 Date: 6/11/07

L.D. 865
(Filing No. H-540)

3 **INLAND FISHERIES AND WILDLIFE**

4 Reproduced and distributed under the direction of the Clerk of the House.

5 **STATE OF MAINE**
6 **HOUSE OF REPRESENTATIVES**
7 **123RD LEGISLATURE**
8 **FIRST REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 654, L.D. 865, Bill, "An Act To
10 Reduce the Cost of Hunting and Fishing Licenses for Certain Veterans and Members of
11 the Military Service"

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

13 **'An Act To Increase the Number of Disabled Veterans That Are Eligible for**
14 **Complimentary Lifetime Licenses and To Create the Search and Rescue**
15 **Fund'**

16 Amend the bill by striking out all of section 1.

17 Amend the bill in section 2 in the first line (page 1, line 7 in L.D.) by striking out the
18 following: "**§10260**" and inserting in its place the following: '**§10261**'

19 Amend the bill in section 2 in §10260 in the first line (page 1, line 8 in L.D.) by
20 striking out the following: "**§10260.**" and inserting the following: '**§10261.**'

21 Amend the bill in section 2 in the first paragraph in the 3rd line (page 1, line 11 in
22 L.D.) by striking out the following: "section 10202, subsection 16" and inserting in its
23 place the following: 'section 10853, subsection 4'

24 Amend the bill by striking out all of section 3 and inserting the following:

25 **'Sec. 3. 12 MRSA §10853, sub-§4,** as amended by PL 2005, c. 477, §2, is further
26 amended to read:

27 **4. Resident disabled veteran.** A resident disabled veteran may apply to the
28 commissioner for one or more of the following complimentary permits and licenses: a
29 license to hunt with a firearm, a license to trap, a license to fish, archery hunting licenses
30 as provided in section 11109, subsection 7, a pheasant hunting permit as provided in
31 section 11156, a muzzle-loading hunting permit as provided in section 11109, subsection
32 4, a migratory waterfowl permit under section 11157, a bear hunting permit under section
33 11151 and, upon meeting the qualifications as established in section 12853, subsection 4,

COMMITTEE AMENDMENT

1 a guide license. The commissioner shall issue the permit or permits or license or licenses
 2 requested under this subsection if the commissioner determines the applicant is a resident
 3 disabled veteran and is not otherwise ineligible to hold that permit or license. For the
 4 purposes of this subsection, "resident disabled veteran" means a person who:

5 A. Is a resident as defined in section 10001, subsection 53;

6 B. Is a veteran ~~as defined in Title 37-B, section 505, subsection 2, paragraph A,~~
 7 ~~subparagraph (3).~~ For purposes of this subsection, "veteran" means a person who
 8 served in the military or naval forces of the United States who was not dishonorably
 9 discharged and entered the service from this State or resided in this State for 5 years
 10 immediately preceding application under this subsection; and

11 C. Has a service-connected disability evaluated at: 50% or more.

12 ~~(1) One hundred percent; or~~

13 ~~(2) Seventy percent or more as a result of honorable military service and who~~
 14 ~~has served in a combat zone during any armed conflict in which participants were~~
 15 ~~exposed to war risk hazards as defined in 42 United States Code, Section 1711~~

16 ~~(b).~~

17 Each application must be accompanied by satisfactory evidence that the applicant meets
 18 the requirements of this subsection. A permit or license issued under this subsection
 19 remains valid for the life of the permit or license holder, as long as the permit or license
 20 holder continues to satisfy the residency requirement in section 10001, subsection 53 and
 21 the permit or license is not revoked or suspended.

22 An appropriation from the General Fund in addition to any appropriation made pursuant
 23 to the Constitution of Maine, Article IX, Section 22 must be made annually to the
 24 department in an amount equal to the revenue lost annually as a result of the department's
 25 providing complementary licenses and permits under this subsection instead of having
 26 each license and permit purchased individually at the regular fee. The department must
 27 deposit any appropriation pursuant to this subsection in the Search and Rescue Fund
 28 established in section 10261.

29 **Sec. 4. Appropriations and allocations.** The following appropriations and
 30 allocations are made.

31 **INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

32 **Search and Rescue 0538**

33 Initiative: Provides funds to reimburse the Department of Inland Fisheries and Wildlife to
 34 comply with the requirements of the Maine Revised Statutes, Title 12, section 10853,
 35 subsection 4.

36	GENERAL FUND	2007-08	2008-09
37	All Other	\$673,663	\$673,663
38			
39	GENERAL FUND TOTAL	<u>\$673,663</u>	<u>\$673,663</u>

1000

COMMITTEE AMENDMENT "A" to H.P. 654, L.D. 865

1 **Search and Rescue 0538**

2 Initiative: Provides the necessary allocation to the Search and Rescue Fund as required by
3 the provisions of the Maine Revised Statutes, Title 12, section 10853, subsection 4.

4	OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
5	All Other	\$673,663	\$673,663
6			
7	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$673,663</u>	<u>\$673,663</u>

8	INLAND FISHERIES AND WILDLIFE,		
9	DEPARTMENT OF		
10	DEPARTMENT TOTALS	2007-08	2008-09
11			
12	GENERAL FUND	\$673,663	\$673,663
13	OTHER SPECIAL REVENUE FUNDS	\$673,663	\$673,663
14			
15	DEPARTMENT TOTAL - ALL FUNDS	<u>\$1,347,326</u>	<u>\$1,347,326</u>

16

17

SUMMARY

18 This amendment changes the title of the bill and replaces the provision of the bill
19 proposing to provide discounted license fees for certain veterans with language that
20 increases the number of disabled veterans that are eligible to receive complimentary
21 lifetime licenses and permits to hunt, fish, trap and guide by reducing the level of
22 disability from 100% for noncombat military and 70% for combat-related disability to
23 50% or more disability for all veterans. It also clarifies the definition of "veteran" and
24 how the loss of revenues to the Department of Inland Fisheries and Wildlife for providing
25 these complimentary licenses to be reimbursed from the General Fund. It changes the
26 allocation of the laws establishing the Search and Rescue Fund in order to avoid creating
27 a conflict. It also adds an appropriations and allocations section to the bill.

28

FISCAL NOTE REQUIRED

29

(See attached)

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 865

LR 2105(02)

An Act To Reduce the Cost of Hunting and Fishing Licenses for Certain Veterans and Members of the Military Service

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Inland Fisheries and Wildlife
Fiscal Note Required: Yes

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Net Cost (Savings)				
General Fund	\$862,676	\$862,676	\$862,676	\$862,676
Appropriations/Allocations				
General Fund	\$673,663	\$673,663	\$673,663	\$673,663
Other Special Revenue Funds	\$673,663	\$673,663	\$673,663	\$673,663
Revenue				
General Fund	(\$189,013)	(\$189,013)	(\$189,013)	(\$189,013)

Fiscal Detail and Notes

Certain changes in the eligibility requirements for complimentary hunting and fishing licenses that are issued to disabled veterans will result in the loss of General Fund revenue collected by the Department of Inland Fisheries and Wildlife. Beginning in fiscal year 2007-08, the estimated annual revenue loss will be \$189,013. The bill also requires the General Fund to annually pay the Search and Rescue Fund an amount equal to the revenue loss from all complementary licenses and permits, including the new ones authorized in this bill. The revenue loss from these complementary licenses and permits is to the General Fund and not to any dedicated account in the department. The bill includes a General Fund appropriation of \$673,663 beginning in fiscal year 2007-08 for this cost and requires that it be in addition to the appropriations the department receives each year that are constitutionally required to be at least equal to the revenues collected. Appropriations in the 2008-2009 biennium are already budgeted in excess of the budgeted revenues.

The bill also includes Other Special Revenue Funds allocations of the same amount to allow spending from the Search and Rescue Fund.