

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Majority

L.D. 1488

Date: 6/10/19

(Filing No. H-572)

Majority

AGRICULTURE, CONSERVATION AND FORESTRY

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

STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1043, L.D. 1488, Bill, "An Act To Provide Free Admission to State Parks to All Maine Veterans"

Amend the bill in section 1 in §1819-A in the first paragraph in the 5th line (page 1, line 17 in L.D.) by striking out the following: "6" and inserting the following: '6 8'

Amend the bill in section 1 in §1819-A in the first paragraph by striking out the next to last sentence (page 1, lines 17 to 19 in L.D.) and inserting the following: 'The pass entitles the holder, and the holder's spouse and children when accompanied by the holder, to admission free of charge to all state parks and historic sites for the period described in Title 37-B, section 6.'

Amend the bill by inserting after section 1 the following:

'Sec. 2. 12 MRSA §10853, sub-§13, as enacted by PL 2005, c. 268, §2, is amended to read:

13. Certain veterans. The commissioner shall enter into a memorandum of agreement with the Department of Defense, Veterans and Emergency Management for the issuance of a free resident hunting license and a free resident fishing license to each veteran determined by the Department of Defense, Veterans and Emergency Management to meet the criteria established in Title 37-B, section 6 9 and other criteria for issuance of licenses. Each license is valid for the period described in Title 37-B, section 6 9. This subsection is repealed June 30, 2010.'

Amend the bill by striking out all of sections 2, 3, 4 and 5 and inserting the following:

'Sec. 2. 37-B MRSA §6, as amended by PL 2009, c. 220, §3 and affected by §5, is repealed.

Sec. 3. 37-B MRSA §7, as enacted by PL 2009, c. 220, §4, is amended to read:

§7. Issuance of free day use pass to active military personnel

The Commissioner of Defense, Veterans and Emergency Management, in accordance with a memorandum of agreement entered into with the Commissioner of Conservation

2013

1 and this section, shall issue a free day use pass to state parks and historic sites to eligible
2 active duty military personnel.

3 **1. Eligibility.** The Department of Defense, Veterans and Emergency Management
4 shall determine, based on an examination of an individual's military identification,
5 whether the following criteria are met:

- 6 A. The person's home of residence is this State; and
- 7 B. The person is serving in an enlisted grade in the armed forces as defined in 10
8 United States Code, Section 101(a)(4).

9 **2. Duration of passes.** A pass issued in accordance with this section is valid for 12
10 months from the date of issuance and may be renewed upon verification of continuing
11 eligibility.

12 **3. Responsibilities of commissioner.** The Commissioner of Defense, Veterans and
13 Emergency Management shall identify a point of contact within the department to issue
14 passes in accordance with this section and the memorandum of agreement entered into
15 with the ~~Department~~ Commissioner of Conservation. The ~~commissioner~~ Commissioner
16 of Defense, Veterans and Emergency Management shall periodically report to the
17 Department of Conservation with a listing of the names and addresses of all persons
18 receiving passes to state parks and historic sites and the expiration dates for those passes.

19 **Sec. 4. 37-B MRSA §8** is enacted to read:

20 **§8. Issuance of free day use pass to veterans**

21 The Commissioner of Defense, Veterans and Emergency Management, in accordance
22 with a memorandum of agreement entered into with the Commissioner of Conservation
23 and this section, shall issue a free day use pass to state parks and historic sites to eligible
24 veterans.

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

- 28 A. The person is a resident of this State; and
- 29 B. The person received an honorable discharge or general discharge under honorable
30 conditions.

31 **2. Responsibilities of commissioner.** The Commissioner of Defense, Veterans and
32 Emergency Management shall identify a point of contact within the department to issue
33 passes in accordance with this section, Title 12, section 1819-A and the memorandum of
34 agreement entered into with the Commissioner of Conservation. The Commissioner of
35 Defense, Veterans and Emergency Management shall periodically report to the
36 Department of Conservation with a listing of the names and addresses of all persons
37 receiving passes to state parks and historic sites and the beginning dates for those passes.
38 A pass issued under this section does not expire and is valid for the lifetime of the holder.

39 **Sec. 5. 37-B MRSA §9** is enacted to read:

1 **§9. Issuance of free fishing license and free hunting license to veterans**

2 The Commissioner of Defense, Veterans and Emergency Management, in accordance
3 with a memorandum of agreement entered into with the Commissioner of Inland
4 Fisheries and Wildlife and this section, shall issue a free fishing license and free hunting
5 license to eligible veterans who meet other criteria of the Department of Inland Fisheries
6 and Wildlife for the issuance of licenses.

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

10 A. The person is a resident of this State;

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

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

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

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

21 **2. Duration of licenses.** A license issued in accordance with this section is valid for
22 a minimum of 12 months from the date of an eligible veteran's discharge from active
23 duty. The memorandum of agreement between the commissioners may allow issuance of
24 licenses for a period longer than 12 months.

25 **3. Responsibilities of commissioner.** The Commissioner of Defense, Veterans and
26 Emergency Management shall identify a point of contact within the department to issue
27 licenses in accordance with this section and the memorandum of agreement entered into
28 with the Commissioner of Inland Fisheries and Wildlife. The Commissioner of Defense,
29 Veterans and Emergency Management shall periodically report to the Department of
30 Inland Fisheries and Wildlife with a listing of the names and addresses of all persons
31 receiving fishing licenses and hunting licenses and the expiration dates for those licenses.

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

33 **Sec. 6. Transition.** A free day use pass to state parks and historic sites issued to a
34 veteran in accordance with the Maine Revised Statutes, Title 37-B, section 6 prior to June
35 30, 2010 is valid for free admission for the veteran and that veteran's spouse and children
36 when they are accompanying the pass holder until the expiration date on the pass. A pass
37 issued after the effective date of this Act entitles only the veteran to free day use
38 admission.

39 The Commissioner of Defense, Veterans and Emergency Management shall accept
40 requests for passes under Title 37-B, section 8 on the effective date of this Act and begin
41 issuing the new passes no later than 6 months after the effective date of this Act. The

1 Commissioner of Defense, Veterans and Emergency Management and the Commissioner
2 of Conservation shall confer and determine if other easily recognizable identification held
3 by veterans may be used to verify eligibility for free admission pending the issuance of
4 the passes by the Department of Defense, Veterans and Emergency Management.

5 **Sec. 7. Authority to submit legislation.** The Joint Standing Committee on
6 Agriculture, Conservation and Forestry may submit legislation to the Second Regular
7 Session of the 124th Legislature regarding the issuance of free day use passes to
8 veterans.'

9 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
10 section number to read consecutively.

11 **SUMMARY**

12 This amendment is the majority report of the Joint Standing Committee on
13 Agriculture, Conservation and Forestry. It specifies that free day use passes to state parks
14 and historic sites issued to veterans after the effective date of this legislation provide free
15 admission only to the veteran and that this benefit does not terminate. The amendment
16 bifurcates the day pass and the free fishing and hunting license provisions and maintains
17 the repeal date of June 30, 2010 for the free licenses.

18 It directs the Department of Defense, Veterans and Emergency Management to begin
19 issuing passes under the new criteria within 6 months after the effective date of the
20 legislation. It requires the Commissioner of Defense, Veterans and Emergency
21 Management to confer with the Commissioner of Conservation to determine if other
22 identification held by veterans may be used to determine eligibility for free admission
23 pending the issuance of the passes. This amendment authorizes the Joint Standing
24 Committee on Agriculture, Conservation and Forestry to submit legislation pertaining to
25 the issuance of passes to veterans to the Second Regular Session of the 124th Legislature.

26 **FISCAL NOTE REQUIRED**

27 (See attached)



124th MAINE LEGISLATURE

LD 1488

LR 2014(02)

An Act To Provide Free Admission to State Parks to All Maine Veterans

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Agriculture, Conservation and Forestry
Fiscal Note Required: Yes

Fiscal Note

Current biennium revenue decrease - General Fund

Fiscal Detail and Notes

Allowing free admission to state parks and historic sites to all veterans who received an honorable discharge or general discharge under honorable conditions would result in a reduction of General Fund revenues. No estimate is made at this time.

Additional costs to the Departments of Conservation and Defense, Veterans and Emergency Management can be absorbed within existing budgeted resources.