

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend Certain Provisions of the Fish and Wildlife Laws

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

Sec. 1. 12 MRSA §10001, sub-§53, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

53. Resident. ~~"Resident"~~For the purposes of this subsection, "resident" means a citizen of the United States who has ~~been domiciled in this State continuously during the 3 months next prior to the date on which the person applies for any license or permit under this Part, or an alien who has been so domiciled for one year.~~ A person may not be considered a resident if the person has not:

- A. If registered to vote, is registered in this State;
- B. If licensed to drive a motor vehicle, has made application for or possesses a motor vehicle operator's license issued by the State;
- C. If owning a motor vehicle located within the State, has registered each such vehicle in the State; and
- D. ~~Complied~~Is in compliance with the state income tax laws.

A person who is a full-time student at a college or university in the State, ~~who has resided in the State continuously for 3 months and has satisfied the requirements of paragraphs A to D is rebuttably presumed to have been domiciled~~be a resident in the State during that period.

Sec. 2. 12 MRSA §10757-A is enacted to read:

§ 10757-A. Failure to pay fees

The commissioner may revoke all licenses, permits or registrations issued to any person under this Part who has failed to pay the license, permit or registration fees due to either a license agent or the department. In addition, any fees associated with insufficient funds may be recovered by the agent or the department.

Sec. 3. 12 MRSA §10851, sub-§1, ¶D, as amended by PL 2007, c. 433, §1, is further amended to read:

- D. For a resident 70 years of age or older. A person who holds a valid senior lifetime license under this section upon turning 70 years of age may obtain at no cost ~~a hunting license, fishing license, trapping license, archery license under section 11109, subsection 7, a pheasant hunting permit under section 11156, a muzzle-loading hunting license under section 11109, subsection 4, a migratory waterfowl permit under section 11157, a spring and fall wild turkey hunting permit under section 11155 and a bear hunting permit under section 11151~~all hunting permits and licenses authorized in

this Part and may renew at no cost a guide license under section 12853. A person who is 70 years of age or older may purchase a senior lifetime license that entitles the holder to all the privileges described in this paragraph for a one-time \$8 fee.

Sec. 4. 12 MRSA §13155, sub-§7, ¶B, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

B. An all-terrain vehicle owner who transfers ownership or discontinues its use may, within 10 days from the date of transfer or discontinuance, apply to the commissioner for registration of another all-terrain vehicle. The fee for the transfer is \$2~~5~~4, and the registration is valid for the remainder of the registration year for which the previous all-terrain vehicle had been registered.

Sec. 5. 17 MRSA §2264-B, sub-§5, as amended by PL 2003, c. 452, Pt. I, §39 and affected by Pt. X, §2, is further amended to read:

5. License suspension. Surrender the person's motor vehicle operator's license for a period not exceeding 30 days and the person's hunting and fishing licenses issued by the Department of Inland Fisheries and Wildlife for a period of up to one year if the violation occurred in a state-owned wildlife management area as designated in Title 12, section 12708 or a wildlife sanctuary as designated in Title 12, section 12706. The court may suspend an operator's license for any violation of section 2264-A that involves the use of a motor vehicle.

SUMMARY

This bill changes the residency requirements in regards to obtaining hunting, fishing and trapping licenses and registering recreational vehicles to make the requirements consistent with other provisions of law. The current 3-month waiting period, which is removed by this bill, makes it more difficult to obtain these licenses and registrations than it is to register a vehicle and results in lost revenue.

The bill allows the issuance of one lifetime license that covers all licenses and permits, rather than requiring the person to go in annually for the permits.

The bill assists the Department of Inland Fisheries and Wildlife in recovering lost revenue and it makes a registration fee change that was inadvertently omitted during recent fee adjustments. This makes the all-terrain vehicle transfer fee consistent with those for snowmobiles and watercraft.

The bill gives the courts the ability to revoke hunting and fishing licenses of persons found guilty of dumping litter in wildlife management areas and sanctuaries.