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

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to be in effect for the upcoming summer season; 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,

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

Sec. 1. 12 MRSA §1819-A, as amended by PL 2009, c. 220, §1, is further amended to read:

§ 1819-A. Day use passes for certain veterans

Notwithstanding section 1819, the commissioner shall enter into a memorandum of agreement with the Department of Defense, Veterans and Emergency Management for the issuance of a free day use pass to state parks and historic sites to each veteran determined by the Department of Defense, Veterans and Emergency Management to meet the criteria established in Title 37-B, section 68. 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. This section is repealed June 30, 2015.

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 69 and other criteria for issuance of licenses. Each license is valid for the period described in Title 37-B, section 69. This subsection is repealed June 30, 2010.

Sec. 3. 37-B MRSA §6, as amended by PL 2009, c. 220, §3 and affected by §5, is repealed.

Sec. 4. 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 and this section, shall issue a free day use pass to state parks and historic sites to eligible active duty military personnel.

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

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

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

3. Responsibilities of commissioner. The Commissioner of Defense, Veterans and Emergency Management shall identify a point of contact within the department to issue passes in accordance with this section and the memorandum of agreement entered into with the ~~Department~~ Commissioner of Conservation. The ~~commissioner~~ Commissioner of Defense, Veterans and Emergency Management 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.

Sec. 5. 37-B MRSA §8 is enacted to read:

§ 8. Issuance of free day use pass to veterans

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

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:

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

2. Responsibilities of commissioner. The Commissioner of Defense, Veterans and Emergency Management shall identify a point of contact within the department to issue passes in accordance with this section, Title 12, section 1819-A and the memorandum of agreement entered into with the Commissioner of Conservation. The Commissioner of Defense, Veterans and Emergency Management 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 beginning dates for those passes. A pass issued under this section does not expire and is valid for the lifetime of the holder.

Sec. 6. 37-B MRSA §9 is enacted to read:

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

The Commissioner of Defense, Veterans and Emergency Management, in accordance with a memorandum of agreement entered into with the Commissioner of Inland Fisheries and Wildlife and this section, shall issue a 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:

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 licenses. A license 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 memorandum of agreement between the commissioners may allow issuance of 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 in accordance with this section and the memorandum of agreement entered into with the Commissioner of Inland Fisheries and Wildlife. The Commissioner of Defense, Veterans and Emergency Management 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.

Sec. 7. Transition. A free day use pass to state parks and historic sites issued to a veteran in accordance with the Maine Revised Statutes, Title 37-B, section 6 prior to June 30, 2010 is valid for free admission for the veteran and that veteran's spouse and children when they are accompanying the pass holder until the expiration date on the pass. A pass issued after the effective date of this Act entitles only the veteran to free day use admission.

The Commissioner of Defense, Veterans and Emergency Management shall accept requests for passes under Title 37-B, section 8 on the effective date of this Act and begin issuing the new passes no later than 6 months after the effective date of this Act. Pending issuance of the passes by the Department of Defense, Veterans and Emergency Management pursuant to Title 37-B, section 8, state parks and historic sites shall grant free day use admission to a veteran upon the veteran's good faith production of easily recognizable identification, including but not limited to discharge papers and license plates.

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

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

Effective June 18, 2009.