

# MAINE STATE LEGISLATURE

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Date: 3/26/12

(Filing No. H-829)

**INLAND FISHERIES AND WILDLIFE**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 933, L.D. 1242, Bill, "An Act To Restore the Deer Herd in Certain Wildlife Management Districts in Maine"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 12 MRSA §10105, sub-§14** is enacted to read:

**14. Regulating the feeding of deer.** The commissioner may by rule:

A. Prohibit the feeding of deer at any location if there is documented evidence of chronic wasting disease, as defined in Title 7, section 1821, subsection 1, in the State; and

B. Prohibit or otherwise limit the feeding of deer if the department has reason to believe that the type or location of feed is creating a public safety hazard or having a detrimental effect on the deer.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 12 MRSA §10151, sub-§4, ¶B**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

B. The advisory council shall hold regular meetings with the commissioner or the commissioner's deputy in December and May of each year and may hold special meetings at such other times and places as are advisable. The commissioner may direct advisory council members to convene stakeholder groups in their respective geographic or management expertise areas to obtain information and advice on enhancing fisheries and wildlife resource management in the State. At least annually, the commissioner shall direct advisory council members to convene stakeholder group meetings in strategic areas of the State where deer populations need to be enhanced. Notwithstanding subsection 3, advisory council members are not eligible for compensation for meetings under this paragraph pursuant to Title 5, section 12004-G, subsection 20.

**COMMITTEE AMENDMENT**

1        **Sec. 3. 12 MRSA §10264**, as reallocated by RR 2011, c. 1, §14, is amended to  
2 read:

3        **§10264. Maine Deer Management Fund**

4        The ~~Predator Control and Deer Habitat Fund~~ Maine Deer Management Fund, referred  
5 to in this section as "the fund," is established within the department as a nonlapsing fund  
6 to be used by the commissioner to fund or assist in funding predator control and to  
7 enhance deer habitat. The commissioner shall establish on the department's online  
8 licensing system checkoff options that allow a person to donate money for predator  
9 control or deer habitat enhancement. The checkoff options must be prominently  
10 displayed and contain web links to information about how the checkoff revenues have  
11 been and will be used. The commissioner shall also print in a prominent place on every  
12 paper application for a hunting license checkoff options that allow a person to donate  
13 money to the fund for predator control or deer habitat enhancement. Revenues from the  
14 checkoffs must be deposited in the fund and used for purposes indicated by the checkoffs.

15        Notwithstanding section 10801, subsection 4, \$2 of each deer registration fee  
16 collected under section 12301-A, subsection 3, paragraph C must be deposited in the  
17 fund. Fifty percent of the funds deposited in the fund from the deer registration fees must  
18 be used for predator control purposes and 50% of the deposited fees must be used to  
19 enhance deer habitat. The commissioner may accept and deposit into the fund monetary  
20 gifts, donations or other contributions from public or private sources for the purposes  
21 specified in this section. The fund must be held separate and apart from all other money,  
22 funds and accounts. The department shall report annually to the joint standing committee  
23 of the Legislature having jurisdiction over inland fisheries and wildlife matters on the  
24 fund and its utilization.

25        **Sec. 4. Appropriations and allocations.** The following appropriations and  
26 allocations are made.

27        **INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**  
28        **Resource Management Services - Inland Fisheries and Wildlife 0534**

29 Initiative: Allocates funding for deer predation control and enhancement of deer habitat.

30 <b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
31        All Other	\$0	\$38,000
32		
33 <b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$38,000</b>
34		

35        **SUMMARY**

36        This amendment strikes and replaces the bill.

37        It authorizes the Commissioner of Inland Fisheries and Wildlife to regulate the  
38 feeding of deer in certain circumstances.

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It requires the commissioner to direct the Inland Fisheries and Wildlife Advisory Council members to convene stakeholder groups at least annually in strategic areas of the State where deer populations need to be enhanced.

It renames the existing Predator Control and Deer Habitat Fund the "Maine Deer Management Fund." It requires that every application for a hunting license include checkoff options that allow a person to donate money to the fund for predator control or deer habitat enhancement. It also requires that \$2 of every deer registration fee be credited to the Maine Deer Management Fund.

The amendment also adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**

**(See attached)**



# 125th MAINE LEGISLATURE

LD 1242

LR 1702(02)

## An Act To Restore the Deer Herd in Certain Wildlife Management Districts in Maine

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-829)  
Committee: Inland Fisheries and Wildlife  
Fiscal Note Required: Yes

### Fiscal Note

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$38,000	\$38,000	\$38,000
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$0	\$38,000	\$38,000	\$38,000
<b>Revenue</b>				
General Fund	\$0	(\$38,000)	(\$38,000)	(\$38,000)
Other Special Revenue Funds	\$0	\$38,000	\$38,000	\$38,000

#### Fiscal Detail and Notes

This legislation directs that \$2 of each deer registration fee be deposited into the Maine Deer Management Fund and will result in a reduction of General Fund revenue of \$38,000 and a corresponding increase in Other Special Revenue Funds revenue beginning in fiscal year 2012-13. This estimate is based upon the number of deer registrations during the 2011 hunting season. The bill includes an Other Special Revenue Funds allocation to the Department of Inland Fisheries and Wildlife of \$38,000 in fiscal year 2012-13.

Additional costs to the Department of Inland Fisheries and Wildlife associated with rulemaking and establishing a process on paper hunting license applications for a person to donate money to the Maine Deer Management Fund can be absorbed within existing budgeted resources.