

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2011

General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12. In addition, \$526,512 of unencumbered balance forward in the Personal Services line category in the Legislature, General Fund account in the Legislature lapses to the General Fund in fiscal year 2012-13. These balances will be available as a result of implementing Personal Services cost-savings measures determined by the Legislative Council.

Sec. QQQQ-3. Legislative account; lapsed balances; Law and Legislative Reference Library, General Fund. Notwithstanding any other provision of law, \$76,209 of unencumbered balance forward in the Personal Services line category in the Law and Legislative Reference Library, General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12.

Notwithstanding any other provision of law, \$11,235 of unencumbered balance forward in the Personal Services line category in the Law and Legislative Reference Library, General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12. In addition, \$31,777 of unencumbered balance forward in the Personal Services line category in the Law and Legislative Reference Library, General Fund account in the Legislature lapses to the General Fund in fiscal year 2012-13. These balances will be available as a result of implementing Personal Services cost-savings measures determined by the Legislative Council.

Sec. QQQQ-4. Legislative account; lapsed balances; Office of Program Evaluation and Government Accountability, General Fund. Notwithstanding any other provision of law, \$164,030 of unencumbered balance forward in the Personal Services line category and \$50,000 in the All Other line category in the Office of Program Evaluation and Government Accountability, General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12.

Notwithstanding any other provision of law, \$17,440 of unencumbered balance forward in the Personal Services line category in the Office of Program Evaluation and Government Accountability, General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12. In addition, \$44,852 of unencumbered balance forward in the Personal Services line category in the Office of Program Evaluation and Government Accountability, General Fund account in the Legislature lapses to the General Fund in fiscal year 2012-13. These balances will be available as a result of implementing Personal Services cost-savings measures determined by the Legislative Council.

PART RRRR

Sec. RRRR-1. State Lottery Fund; reduction to expenses; transfer to General Fund.

The Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services shall reduce costs of goods sold expenditures below budgeted amounts by \$350,000 in fiscal year 2011-12 and \$2,200,000 in fiscal year 2012-13 based on extending the lottery contract in fiscal year 2011-12 and from rebidding the existing contract in fiscal year 2012-13 in order to increase General Fund revenue by \$350,000 in fiscal year 2011-12 and \$2,200,000 in fiscal year 2012-13.

Sec. RRRR-2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Lottery Operations 0023

Initiative: Allocates funds to offset deallocations in Part A that were intended to recognize savings within the costs of goods sold account, which is not allocated by the Legislature. This allocation avoids an unintended reduction to lottery operating allocations.

STATE LOTTERY FUND	2011-12	2012-13
All Other	\$350,000	\$2,200,000
	□	□
STATE LOTTERY FUND	\$350,000	\$2,200,000
TOTAL		

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

Effective June 20, 2011, unless otherwise indicated.

CHAPTER 381

S.P. 502 - L.D. 1569

An Act To Restore the White-tailed Deer Population and Improve Maine's Wildlife Economy and Heritage

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

Sec. 1. 5 MRS §6207, sub-§3, as amended by PL 2001, c. 466, §2, is further amended to read:

3. Priorities. Whenever possible, the Land for Maine's Future Fund and the Public Access to Maine Waters Fund must be used for land acquisition projects

when matching funds are available from cooperating entities, ~~provided that as long as~~ the proposed acquisition meets all other criteria set forth in this chapter. For acquisitions funded by the Land for Maine's Future Fund, the board shall give priority to projects that conserve lands with multiple outstanding resource or recreation values or a single exceptional value, conserve and protect deer wintering areas, provide geographic representation and build upon or connect existing holdings.

When acquiring land or interest in land, the board shall examine public vehicular access rights to the land and, whenever possible and appropriate, acquire guaranteed public vehicular access as part of the acquisition.

Sec. 2. 12 MRSA §5012, as amended by PL 2009, c. 213, Pt. L, §§1 to 3, is further amended by adding at the end a new paragraph to read:

Prior to final negotiations and legislative and administrative review of the sale of state-designated lands or an interest in designated lands that contain significant deer wintering habitat, the commissioner shall report to the joint standing committee of the Legislature having jurisdiction over conservation matters and the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters regarding the proposed sale. For purposes of this section, "designated lands" has the same meaning as in section 598-A.

Sec. 3. 12 MRSA §10107-A is enacted to read:

§10107-A. Deer population goals and 5-year benchmark report

The department shall establish 5-year benchmarks for managing the deer population in each wildlife management district and report annually to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters. The annual report must include, but is not limited to:

1. Updates. Updates on meeting each 5-year benchmark;

2. Annual goals. Annual goals for wildlife management districts, funding needed to meet the goals and the progress toward meeting the goals;

3. Deer mortality. Data on deer mortality, including, but not limited to, predation on deer;

4. Efforts. An assessment of the efforts of animal predation control agents;

5. Annual flights. The number of flights made annually by agents of the department to assess the deer population; and

6. Work with others. The department's efforts to work with interest groups regarding predator control.

Sec. 4. 12 MRSA §10109, sub-§5 is enacted to read:

5. Transfer of property containing deer wintering habitat. Prior to final negotiations and legislative and administrative review of the sale of state-designated lands or an interest in designated lands that contain significant deer wintering habitat, the commissioner shall report to the joint standing committee of the Legislature having jurisdiction over conservation matters and the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters regarding the proposed sale. For purposes of this section, "designated lands" has the same meaning as in section 598-A.

Sec. 5. 12 MRSA §10263 is enacted to read:

§10263. Predator Control and Deer Habitat Fund

The Predator Control and Deer Habitat Fund, referred to in this section as "the fund," is established within the department as a nonlapsing fund to be used by the commissioner to fund or assist in funding predator control and to enhance deer habitat. The commissioner shall establish on the department's online licensing system checkoff options that allow a person to donate money for predator control or deer habitat enhancement. The checkoff options must be prominently displayed and contain web links to information about how the checkoff revenues have been and will be used. Revenues from the checkoffs must be deposited in the fund and used for purposes indicated by the checkoffs.

The commissioner may accept and deposit into the fund monetary gifts, donations or other contributions from public or private sources for the purposes specified in this section. The fund must be held separate and apart from all other money, funds and accounts. The department shall report annually to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters on the fund and its utilization.

Sec. 6. Funding deer management efforts; report. The Department of Inland Fisheries and Wildlife shall report to the Joint Standing Committee on Inland Fisheries and Wildlife no later than February 1, 2012 on the department's efforts to secure revenue to enhance the department's efforts in protecting and expanding the State's deer population.

Sec. 7. Predator control and deer protection on public lands. The Department of Inland Fisheries and Wildlife, in cooperation with the Department of Conservation, shall develop and implement a plan for all state-owned lands to control predation on deer and a plan to protect, manage and enhance deer wintering areas. The Department of Inland Fisheries and Wildlife and the Department of Conservation shall jointly report on the 2 plans to the Joint Standing

Committee on Inland Fisheries and Wildlife no later than February 1, 2012.

Sec. 8. Outreach and public education. The Department of Inland Fisheries and Wildlife, with the assistance of sporting groups, shall continue efforts to restructure and increase the budget of the department's Division of Public Information and Education and to continue an ongoing relationship with the State's deer hunters using surveys, newsletters and the department's publicly accessible website to keep hunters current and involved in the implementation of the department's Maine Game Plan for Deer. The department shall report to the Joint Standing Committee on Inland Fisheries and Wildlife no later than February 1, 2012.

Sec. 9. Maine Game Plan for Deer. The Department of Inland Fisheries and Wildlife shall expand its Maine Game Plan for Deer to the entire State and submit that plan to the Joint Standing Committee on Inland Fisheries and Wildlife no later than February 1, 2012.

Sec. 10. Predator control. If funding is available, the Department of Inland Fisheries and Wildlife shall develop and implement a program to control predation on deer that includes, but is not limited to:

1. Organization of an advisory group of professional guides and trappers to help develop and implement the program;
2. Utilization of both hunters and trappers for the program;
3. Utilization of animal damage control techniques and agents trained in animal damage control techniques; and
4. Increases in the funding of animal damage control efforts related to the program.

The department shall report its progress on developing and implementing the program to the Joint Standing Committee on Inland Fisheries and Wildlife no later than February 1, 2012.

Sec. 11. Appropriations and allocations. The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF**

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Establishes the Predator Control and Deer Habitat Fund.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$500	\$500

OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

See title page for effective date.

CHAPTER 382

S.P. 260 - L.D. 856

An Act To Change the Campaign Contribution Limits

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

Sec. 1. 21-A MRSA §1015, sub-§1, as amended by PL 2009, c. 286, §2, is further amended to read:

1. Individuals. An individual may not make contributions to a candidate in support of the candidacy of one person aggregating more than \$750 ~~\$1,500~~ in any election for a gubernatorial candidate or, more than \$350 ~~more than \$350~~ for a legislative candidate, more than \$350 ~~more than \$350~~ for a candidate for municipal office and beginning January 1, 2012 more than \$750 ~~more than \$750~~ for a candidate for municipal office or more than \$750 in any election for any other candidate. This limitation does not apply to contributions in support of a candidate by that candidate or that candidate's spouse or domestic partner. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

Sec. 2. 21-A MRSA §1015, sub-§2, as amended by PL 2009, c. 286, §3, is further amended to read:

2. Committees; corporations; associations. A political committee, political action committee, other committee, firm, partnership, corporation, association or organization may not make contributions to a candidate in support of the candidacy of one person aggregating more than \$750 ~~\$750~~ \$1,500 in any election for a gubernatorial candidate or, more than \$350 ~~more than \$350~~ for a legislative candidate, more than \$350 ~~more than \$350~~ for a candidate for municipal office and beginning January 1, 2012 more than \$750 ~~more than \$750~~ for a candidate for municipal office or more than \$750 in any election for any other candidate. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2