

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

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

Augusta, Maine
2013

tions that were eligible to conduct beano games and games of chance.

	2012-13	2013-14	2014-15
OTHER SPECIAL REVENUE FUNDS			
All Other	(\$186,707)	(\$152,360)	(\$148,448)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$186,707)	(\$152,360)	(\$148,448)
PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS			
OTHER SPECIAL REVENUE FUNDS	(\$186,707)	(\$152,360)	(\$148,448)
DEPARTMENT TOTAL - ALL FUNDS	(\$186,707)	(\$152,360)	(\$148,448)
SECTION TOTALS	2012-13	2013-14	2014-15
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0
SECTION TOTAL - ALL FUNDS	\$0	\$0	\$0

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

Effective May 24, 2013.

CHAPTER 129

H.P. 144 - L.D. 184

An Act To Enhance Transparency in Government by Implementing a Waiting Period for Legislators before They May Register as Lobbyists

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

Sec. 1. 1 MRSA §1008, sub-§4, as amended by IB 1995, c. 1, §5, is further amended to read:

4. Lobbyist activities. To administer the lobbyist disclosure laws, Title 3, chapter 15, and enforce the

waiting period required before former Legislators may engage in compensated lobbying as provided by section 1024;

Sec. 2. 1 MRSA §1024 is enacted to read:

§1024. Waiting period before engaging in lobbying activities

1. Actions precluded. Beginning with the convening of the 127th Legislature, a person who has served as a Legislator may not engage in activities that would require registration as a lobbyist or lobbyist associate as defined by Title 3, section 312-A, subsections 10 and 10-A, respectively, until one year after that person's term as a Legislator ends. This subsection may not be construed to prohibit uncompensated lobbying by a former Legislator during the one-year period following the end of that Legislator's most recent term in office.

2. Complaints and investigations. A person may file a complaint with the commission specifying an alleged violation of this section. The commission staff shall notify the party against whom the complaint has been filed and may undertake the investigation of the alleged violation if directed by the commission. The commission may direct commission staff to undertake an investigation of an alleged violation of this section on its own motion.

3. Penalty. A person who intentionally violates this section is subject to a civil penalty not to exceed \$1,000, payable to the State and recoverable in a civil action.

See title page for effective date.

CHAPTER 130

H.P. 744 - L.D. 1051

An Act To Clarify the Authority and Responsibility of Forest Rangers

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

Sec. 1. 12 MRSA §8901, sub-§2, as amended by PL 2011, c. 657, Pt. W, §7 and c. 682, §38, is further amended to read:

2. Powers and duties. Forest rangers and the state supervisor shall:

A. Subject to supervision of the director, supervise the state ~~forest fire~~ wildfire control program, including personnel and facilities of all types;

B. Have the final on-site authority and responsibility for the control of ~~forest fires~~ wildfires;

C. Develop and carry out a comprehensive program of ~~forest fire~~ wildfire prevention education and training of persons at all levels of command in order to meet supervisory needs during ~~forest fire~~ wildfire emergencies;

D. Enforce Title 36, chapter 701 relating to blueberries, all laws relating to forests and forest preservation, laws relating to the Maine Land Use Planning Commission and laws and rules relating to lands under the jurisdiction of the Division of Parks and Public Lands;

E. Investigate and gather evidence regarding the cause of ~~forest fires~~ wildfires;

F. Have the authority to set backfires to control ~~forest fires~~ wildfires;

G. Carry out such other duties as the director prescribes; and

H. Have rights of access to all lands within the State to carry out the duties they are authorized by law to administer and enforce. Entry into private property under this paragraph is not a trespass. This paragraph does not authorize entry into any building or structure.

Forest rangers and the state supervisor may also exercise the powers in this subsection when appropriate for agricultural and park fires.

Sec. 2. 12 MRSA §8901, sub-§3, ¶A, as amended by PL 2011, c. 657, Pt. W, §7 and c. 682, §38, is further amended to read:

A. Forest rangers and the state supervisor, for the purpose of enforcing Title 36, chapter 701 relating to blueberries, forest and forest preservation laws, laws of the Maine Land Use Planning Commission and laws and rules relating to the lands under the jurisdiction of the Division of Parks and Public Lands, have statewide law enforcement powers equivalent to those of a sheriff, or a sheriff's deputy, in the sheriff's county, including the right to execute or serve criminal and civil violation processes against offenders, make warrantless arrests for crimes, investigate and prosecute offenders, require aid in executing forest ranger duties and deputize temporary aides;

Sec. 3. 12 MRSA §8901, sub-§4 is enacted to read:

4. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Escaped prescribed fire" means an uncontrolled fire on wildland caused by a prescribed fire that escaped control efforts and burned unintended land area.

B. "Escaped wildland fire use" means an out of control fire caused by a wildland fire use that escaped control efforts and burned unintended land area.

C. "Prescribed fire" means a forest or land management practice using fire, applied in a knowledgeable manner to naturally occurring fuels on a specific land area under selected weather conditions to accomplish predetermined, well-defined management objectives.

D. "Wildfire" means an unplanned, unwanted wildland fire including an unauthorized human-caused fire, an escaped wildland fire use, an escaped prescribed fire and any other wildland fire with respect to which the Director of the Division of Forestry has determined that the objective is to put the fire out.

E. "Wildland" means an area in which development is essentially nonexistent, except for roads, railroads, powerlines and similar transportation facilities, and structures, if any, are widely scattered.

F. "Wildland fire use" means a management practice using a naturally occurring fire burning forest fuels on wildland that is not immediately controlled. The fire is allowed to burn within a predetermined area and is used to promote certain wilderness or management objectives.

See title page for effective date.

CHAPTER 131

S.P. 194 - L.D. 504

An Act To Amend the Election Laws and Other Related Laws

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

Sec. 1. 5 MRSA §152, as amended by PL 2011, c. 342, §3, is further amended to read:

§152. Ratification of bond issue; signed statement

In accordance with the Constitution of Maine, Article IX, section 14, the Treasurer of State shall prepare a signed statement, called the Treasurer's Statement, to accompany any question submitted to the electors for ratification of a bond issue setting forth the total amount of bonds of the State outstanding and unpaid, the total amount of bonds of the State authorized and unissued and the total amount of bonds of the State contemplated to be issued if the enactment submitted to the electors should be ratified. The Treasurer of State shall also set forth in that statement an estimate of costs involved, including explanation of, based on such factors as interest rates that may vary,