

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

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FIRST REGULAR SESSION
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TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2013

made or presents or causes to be presented for payment or approval any claim upon or against the department or upon any funds administered by the department, knowing such claim to be materially false, fictitious or fraudulent, or who, ~~for the purpose of obtaining or aiding another to obtain the payment or approval of such a claim, knowingly~~ makes any false written statement or knowingly submits any false document ~~that the person does not believe to be true, material to a false, fictitious or fraudulent claim or who knowingly~~ enters into any agreement, combination or conspiracy to defraud the department by obtaining the payment or approval of any materially false, fictitious or fraudulent claim, ~~shall or who knowingly~~ makes or causes to be made a false written statement or record material to an obligation to pay or transmit money or property to the department or knowingly conceals or knowingly and improperly materially avoids or materially decreases an obligation to pay or transmit money or property to the department is, in addition to any criminal liability that may be provided by law, be subject to civil suit by this State in the Superior Court for recovery of civil penalties to include the following:

Sec. 2. 22 MRSA §15, as amended by PL 1995, c. 191, §§1 to 4, is further amended by adding at the end a new paragraph to read:

For purposes of this section, "knowing" or "knowingly" means that, with respect to information, a person has actual knowledge of the information, acts in deliberate ignorance of the truth or falsity of the information or acts in reckless disregard of the truth or falsity of the information. A person may act knowingly without specific intent to defraud.

See title page for effective date.

CHAPTER 236

H.P. 713 - L.D. 1015

An Act To Expand Crossbow Hunting

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

Sec. 1. 12 MRSA §10952, sub-§1, as enacted by PL 2011, c. 61, §1, is amended to read:

1. Hunting with a bow and arrow or a crossbow. A person may, except as otherwise provided in this Part, hunt any wild bird or wild animal with a hand-held bow and arrow or a crossbow during any open season on that bird or animal.

Sec. 2. 12 MRSA §10952, sub-§2, as enacted by PL 2011, c. 61, §1, is repealed.

Sec. 3. 12 MRSA §10953, sub-§1, as amended by PL 2011, c. 61, §2, is repealed and the following enacted in its place:

1. Species and seasons. Except as provided in this Part, a person may:

A. Hunt bear with a crossbow during the open season on bear as provided in section 11251;

B. Hunt wild turkey with a crossbow during the spring open season on wild turkey in areas open to wild turkey hunting as established by rule in section 11701;

C. Hunt moose with a crossbow in areas of the State open to moose hunting during the open season on moose established by rule in section 11552, subsections 1 and 2 and according to the rules pertaining to moose hunting permits adopted by the commissioner for the protection of the moose resource under section 11551 and in accordance with the provisions of section 11601; and

D. Hunt deer with a crossbow during the open firearm season on deer as provided in section 11401. This paragraph does not authorize a person to hunt deer with a crossbow during an expanded archery season established under section 11403 or in an expanded archery zone or during the muzzle-loading-only deer hunting season established under section 11404, except as provided in subsection 1-A.

Sec. 4. 12 MRSA §11603, sub-§1, as amended by PL 2005, c. 477, §13, is further amended to read:

1. Prohibition. A person may not use a .17 or .22 caliber rimfire firearm, or a shotgun using shot loads or a crossbow to hunt moose.

Sec. 5. 12 MRSA §11603, sub-§1-A, as enacted by PL 2011, c. 61, §5, is repealed.

Sec. 6. 12 MRSA §11701, first ¶, as amended by PL 2003, c. 552, §9 and affected by §15; c. 614, §9; and c. 655, Pt. C, §§2 and 6, is further amended to read:

The commissioner may establish open seasons for hunting wild turkeys, designate areas that are open to the taking of wild turkeys in any part of the State, prescribe the form and regulate the number of permits to be issued, determine the number and sex of the birds to be harvested, establish bag limits, establish permit eligibility requirements, establish legal hunting times, specify the types of weapons to be used during any open wild turkey hunting season and make any other rules that the commissioner considers necessary for the protection of the wild turkey resource. The rules

must permit the use of a crossbow during the spring open wild turkey hunting season.

See title page for effective date.

**CHAPTER 237
S.P. 77 - L.D. 241**

**An Act To Amend Certain
Laws Governing the Bureau of
Maine Veterans' Services**

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

Sec. 1. 37-B MRSA §505, sub-§2, ¶G, as enacted by PL 2001, c. 662, §66, is amended to read:

G. In order to be eligible for benefits under this subsection, a student must apply for a Federal Pell Grant under 20 United States Code, Section 1070a. The director shall estimate the number of students anticipated that will use this program and provide the estimate to state institutions upon request.

Sec. 2. 37-B MRSA §509, sub-§1, as enacted by PL 2003, c. 404, §7, is amended to read:

1. Certificate of release. A certificate of release or discharge ~~from~~ casualty report, death notice or other record pertaining to active duty service issued by the United States Government, classified by the United States Government as confidential and filed for safekeeping with any state, county or local government authority is confidential for a period of 75 62 years following its filing date of issuance. During that 75-year 62-year period, it is unlawful for a person to permit inspection of the record, to disclose information contained in the record or to issue a copy of all or any part of the record except as authorized by this section or by court order. Nothing in this section may be construed to make a record confidential that is not directed to be confidential by the United States Government.

See title page for effective date.

**CHAPTER 238
S.P. 574 - L.D. 1519**

**An Act To Update the Maine
Insurance Code To Maintain
Conformance with Uniform
National Standards**

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

PART A

Sec. A-1. 24-A MRSA §216, sub-§5, as amended by PL 1999, c. 184, §19, is repealed and the following enacted in its place:

5. In order to assist the superintendent in the regulation of insurers in this State, it is the duty of the superintendent to maintain as confidential a document or information received from the National Association of Insurance Commissioners or International Association of Insurance Supervisors, public officials of other jurisdictions and members of supervisory colleges in which the superintendent participates pursuant to section 222, subsection 7-B, agencies of the Federal Government or political subdivisions or other agencies of this State, if the document or the information has been provided to the superintendent with notice that it is confidential under the laws of the jurisdiction that is the source of the document or information.

A. Any information furnished pursuant to this subsection by or to the superintendent that has been designated confidential by the official, agency or other entity furnishing the information remains the property of the agency furnishing the information and must be held as confidential by the recipient of the information, except as authorized by the official, agency or other entity furnishing the information to the superintendent, with prior notice to interested parties and consistent with other applicable laws. The authority of the superintendent, pursuant to paragraph B, to permit further disclosure to a 3rd party or to the public of information shared by the superintendent is subject to the same requirements and conditions that apply if the superintendent discloses the information directly to a 3rd party or to the public.

B. The superintendent may share information, including otherwise confidential information, with the National Association of Insurance Commissioners or International Association of Insurance Supervisors, public officials of other jurisdictions and members of supervisory colleges in which the superintendent participates pursuant to section 222, subsection 7-B, agencies of the Federal Government or political subdivisions or other agencies of this State, if the recipient of the information agrees to maintain the same level of confidentiality as is available under Maine law and has demonstrated that it has the legal authority to do so.

C. The superintendent may enter into one or more written agreements with the National Association of Insurance Commissioners governing sharing and using information under this subsection that:

(1) Specify procedures and protocols regarding the confidentiality and security of information shared with the National Association of Insurance Commissioners and its affiliates