

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

**Sec. 1. 5 MRSA §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 depredation 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.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<hr style="width: 100%; border: 0.5px solid black;"/> \$500	<hr style="width: 100%; border: 0.5px solid black;"/> \$500

**SUMMARY**

This amendment replaces the bill and does the following:

1. It makes the conservation and protection of deer wintering areas a priority for acquisitions funded by the Land for Maine's Future Fund;

2. It requires the Department of Inland Fisheries and Wildlife to 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 with updates on meeting each 5#year benchmark;

3. It provides that prior to final negotiations and legislative and administrative review for the sale of designated lands or an interest in designated lands that contain deer wintering habitat, the Commissioner of Inland Fisheries and Wildlife or the Commissioner of Conservation must notify the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters about the intent to make such a sale;

4. It establishes a Predator Control and Deer Habitat Fund to fund predator control and to enhance deer habitat. It directs the Commissioner of Inland Fisheries and Wildlife to provide checkoff options on its online licensing system to allow a person to make donations to the fund;

5. It directs the Department of Inland Fisheries and Wildlife to secure revenue to enhance the department's efforts in protecting and expanding Maine's deer population;

6. It directs the Department of Inland Fisheries and Wildlife, in cooperation with the Department of Conservation, to 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;

7. It directs the Department of Inland Fisheries and Wildlife to develop plans to restructure and increase the budget of the Division of Public Information and Education and to create an ongoing relationship with the State's deer hunters using surveys, newsletters and its publicly accessible website to keep hunters current and involved in the implementation of the department's Maine Game Plan for Deer;

8. It directs the Department of Inland Fisheries and Wildlife to expand its Maine Game Plan for Deer to the entire State;

9. It directs the Department of Inland Fisheries and Wildlife to develop and implement a program to control predation on deer; and

10. It directs the Department of Inland Fisheries and Wildlife to report to the Joint Standing Committee on Inland Fisheries and Wildlife regarding the department's efforts and progress made to meet the goals of controlling predation on deer as required by the amendment by February 1, 2012.

The amendment also establishes a reporting date of February 1, 2012 for the Department of Inland Fisheries and Wildlife to report to the Joint Standing Committee on Inland Fisheries and Wildlife concerning several provisions of the amendment.

This amendment adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**  
**(See attached)**