

MAINE STATE LEGISLATURE

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Date: 5/27/15

L.D. 829
(Filing No. H-203)

JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 563, L.D. 829, Bill, "An Act To Amend the Trespass Laws Pertaining to Railroad Property"

Amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, knowingly entering a railroad right-of-way without right creates potential public safety issues requiring immediate attention; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill by striking out all of sections 1 to 3.

Amend the bill by adding before the summary the following:

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

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment adds an emergency preamble and clause. It removes the provisions of the bill that require the creation of a railroad bureau within the District Court, but keeps the provisions that create a Class E crime for 4 or more trespassing violations and that increase the minimum fines for trespassing violations. The Chief Judge of the District Court has authority to designate which offenses are waiverable offenses, allowing the writing of a Violation Summons and Complaint, an example of which is a traffic

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to H.P. 563, L.D. 829

1 ticket, to allow a violator to waive a court appearance and pay the fine for the violation
2 through the violations bureau.

3

FISCAL NOTE REQUIRED

4

(See attached)

COMMITTEE AMENDMENT



Approved: 05/05/15 *MAC*

127th MAINE LEGISLATURE

LD 829

LR 1600(02)

An Act To Amend the Trespass Laws Pertaining to Railroad Property

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Judiciary

Fiscal Note Required: Yes

A(H-203)

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new Class E crimes.

The collection of additional fines may also increase General Fund revenue by minor amounts.