

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 253

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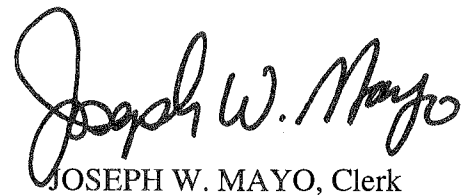
H.P. 200

House of Representatives, January 21, 1997

**An Act to Require a Search Warrant to Investigate Private Property for  
the Purpose of Forestry Examinations.**

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and  
ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative SNOWE-MELLO of Poland.  
Cosponsored by Senator BENNETT of Oxford and  
Representatives: BRAGDON of Bangor, FOSTER of Gray, GERRY of Auburn,  
MacDOUGALL of North Berwick, MACK of Standish, STEDMAN of Hartland, WINSOR of  
Norway, Senator: MITCHELL of Penobscot.

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

4 **Sec. 1. 12 MRSA §8869, sub-§11**, as enacted by PL 1989, c. 555,  
§10, is repealed.

6 **Sec. 2. 12 MRSA §8869, sub-§13** is enacted to read:

8 **13. Search warrant required.** An agent of the bureau shall  
10 obtain an administrative search warrant before entry onto private  
12 property for the purpose of determining compliance with the  
14 provisions of this chapter or rules adopted pursuant to this  
16 chapter. A search warrant is not required if the agent has the  
18 consent of the landowner to enter onto the property.

### 16 SUMMARY

18 This bill requires agents of the Department of Conservation,  
20 Bureau of Forestry to obtain a search warrant prior to entering  
onto private land to investigate possible forest practices  
violations unless the agent has the consent of the landowner.