

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1246

H.P. 920

House of Representatives, March 6, 2003

Resolve, Regarding Searches of Curtilage by Certain State Agencies

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SNOWE-MELLO of Poland.
Cosponsored by Senator SAWYER of Penobscot and
Representatives: BRYANT-DESCHENES of Turner, CARR of Lincoln, CROSTHWAITE of
Ellsworth, DUPREY of Hampden, JOY of Crystal, PEAVEY-HASKELL of Greenbush,
TRAHAN of Waldoboro, Senator: BLAIS of Kennebec.

Sec. 1. Uniform standards regarding searches of curtilage.

Resolved: That the Department of Environmental Protection, the Department of Conservation and the Department of Inland Fisheries and Wildlife shall review their policies and procedures regarding searches of private property, including curtilage, and shall conform those policies and procedures to those governing searches of private property, including curtilage, followed by the Department of Public Safety, Bureau of State Police.

SUMMARY

The United States Constitution protects the right of people to be secure in their persons and houses against unreasonable searches and seizures. This protection extends to curtilage, which is the area surrounding a residence. This resolve requires the Department of Environmental Protection, the Department of Conservation and the Department of Inland Fisheries and Wildlife to review their policies and procedures governing searches of private property, including curtilage, and to conform those policies and procedures to those followed by the Department of Public Safety, Bureau of State Police.