

# MAINE STATE LEGISLATURE

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M  
R.D.S.

L.D. 834

DATE: 5/4/5

(Filing No. H-259)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
122ND LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 593, L.D. 834, Bill, "An Act To Prevent Camcorder Piracy"

Amend the bill in section 2 in that part designated "§3521." by striking out all of the first paragraph (page 1, lines 17 to 33 in L.D.) and inserting in its place the following:

'A store or motion picture theater owner, manager or supervisor, or that person's designee, may detain on the premises in a reasonable manner and for a period of time not to exceed 1/2 hour any person as to whom there is probable cause to believe is unlawfully concealing merchandise or concealing part of or operating an audiovisual or audio recording function of any device in the motion picture theater while a motion picture is being exhibited, without the written consent of the motion picture theater owner. The purposes of detention shall be are: To require the person being detained to provide identification; to verify the identification; to inform a law enforcement officer of the detention and to surrender that person to the officer; to take possession of and hold stolen merchandise or recordings and related equipment pending arrival of law enforcement; and, when the detained person is a minor, to inform a law enforcement officer or the parents or guardian of the minor of the detention and to surrender the minor to the person so informed.'

Further amend the bill in section 3 in paragraph D in the last line (page 1, line 50 in L.D.) by striking out the following: "no less than \$5,000" and inserting in its place the following: 'more than \$500 but not more than \$1,000, unless a higher value can be proven'

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to H.P. 593, L.D. 834

Further amend the bill in section 4 in subsection 1 in paragraph C in the 3rd line (page 2, line 46 in L.D.) by inserting after the following: "exhibited" the following: 'for the purpose of making a copy of the motion picture'

Further amend the bill in section 4 in subsection 1 in paragraph C in the last line (page 2, line 48 in L.D.) by striking out the following: "Class C" and inserting in its place the following: 'Class D'

**SUMMARY**

This amendment retains the current 1/2 hour detention of persons suspected of stealing allowed merchants while waiting for law enforcement to arrive. Instead of deeming the value of an audio or video recording to be \$5,000, the amendment authorizes the value to be deemed to be more than \$500 but less than \$1,000, unless a higher value can be proven. The amendment also specifies that the new crime requires that the purpose of the person filming be to make a copy of the motion picture and reclassifies the crime as a Class D crime.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



Approved: 04/22/05 *MAC*

# 122nd MAINE LEGISLATURE

LD 834

LR 1917(02)

## An Act To Prevent Camcorder Piracy

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

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### Fiscal Note

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

### Correctional and Judicial Impact Statements

Establishes a new Class D crime.

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