

# MAINE STATE LEGISLATURE

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7/28

1  
2 Date: 5/30/07

L.D. 588  
(Filing No. H-325)

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**JUDICIARY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
123RD LEGISLATURE  
FIRST REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 455, L.D. 588, Bill, "An Act To Allow  
10 Civil Penalties for Trespass while Engaging in Activities Regulated by Inland Fisheries  
11 and Wildlife"

12 Amend the bill by striking out everything after the enacting clause and before the  
13 summary and inserting the following:

14 'Sec. 1. 12 MRSA §10657 is enacted to read:

15 **§10657. Civil trespass**

16 **1. Prohibition.** While engaging in any activity regulated under this Part, a person,  
17 knowing that the person is not licensed or privileged to do so, may not:

18 A. Enter or cause a projectile to enter any place from which that person may lawfully  
19 be excluded and that is posted in accordance with Title 17-A, section 402, subsection  
20 4 or in a manner reasonably likely to come to the attention of intruders or that is  
21 fenced or otherwise enclosed in a manner designed to exclude intruders; or

22 B. Enter or remain in or cause a projectile to enter or remain in any place in defiance  
23 of a lawful order not to enter or an order to vacate that was personally communicated  
24 to that person by the owner of the place or another authorized person.

25 **2. Civil penalties.** The following penalties apply to violations of this section.

26 A. A person who violates this section commits a civil violation for which a fine of  
27 not less than \$100 and not more than \$500 may be adjudged.

28 B. A person who violates this section after having been adjudicated as having  
29 committed 3 or more civil violations under this Part within the previous 5-year period  
30 commits a Class E crime.

31 **3. Definition.** For the purposes of this section, "projectile" means a bullet, pellet,  
32 shot, shell, ball, arrow, bolt or other object propelled or launched from a firearm or a  
33 bow, crossbow or similar tensile device.'

**COMMITTEE AMENDMENT**

**R.O.S.**

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**SUMMARY**

This amendment replaces the term "foreign object" with the term "projectile," which is similar to the concept used in Florida statutes to cover instances of trespass. "Projectile" means a bullet, pellet, shot, shell, ball, arrow, bolt or other object propelled or launched from any firearm or a bow, crossbow or similar tensile device.

This amendment makes the new violation consistent with the Maine Revised Statutes, Title 12, Part 13 standard that a civil violation becomes a Class E crime if there are at least 3 prior adjudications of civil violations under that Part.

This amendment deletes the section of the bill that made the commission of the new civil violation of civil trespass grounds for mandatory revocation of a hunting or fishing license or permit.

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



# 123rd MAINE LEGISLATURE

LD 588

LR 503(02)

**An Act To Allow Civil Penalties for Trespass while Engaging in Activities Regulated by Inland Fisheries and Wildlife**

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

**Committee: Judiciary**

**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 new civil violations and Class E crimes.

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