

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1127

H.P. 820

House of Representatives, March 7, 2007

An Act To Decriminalize Certain Actions

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SCHATZ of Blue Hill. (BY REQUEST)

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

2 **Sec. 1. 17-A MRSA §402, sub-§5 is enacted to read:**

3 5. Notwithstanding any other provision of this section, a person who commits
4 trespass but does not pose any threat or danger and gives no resistance to a law
5 enforcement official commits a civil violation for which a fine of \$100 or community
6 service work may be imposed.

7 Sec. 2. 17-A MRSA §761 is enacted to read:

8 §761. Civil disobedience

9 Notwithstanding the provisions of section 751, a person is guilty of civil disobedience
10 if the person, for political purposes, actively refuses to obey certain laws, demands and
11 commands of a government without resorting to physical violence. Notwithstanding the
12 provisions of section 1252, civil disobedience is a Class E crime for which only a fine of
13 \$100 or community service work may be imposed.

14 SUMMARY

15 This bill makes trespass a civil violation when the trespasser poses no threat or
16 danger and gives no resistance to law enforcement officials. In such cases, a fine of \$100
17 or community service work may be imposed. This bill also creates the crime of civil
18 disobedience, which is when a person, for political purposes, actively refuses to obey
19 certain laws, demands and commands of a government without resorting to physical
20 violence. This bill makes civil disobedience a Class E crime for which only a fine of
21 \$100 or community service work may be imposed.