

MAINE STATE LEGISLATURE

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SAC
ROFS

L.D. 1595

Date: 3/23/12

(Filing No. H-821)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1201, L.D. 1595, Bill, "An Act To Impose a Penalty for Making False Claims Regarding Affiliation with a Federally Recognized Tribe"

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

'Sec. 1. 17 MRSA §1637 is enacted to read:

§1637. False claims of membership in federally recognized tribe in the State

1. Prohibition. A person may not:

A. Knowingly claim falsely to be a member of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe or the Penobscot Nation;

B. Have the intent to obtain property to which the person is not entitled by making the claim under paragraph A; and

C. Obtain property to which the person is not entitled by making the claim under paragraph A.

2. Penalty. A person that violates subsection 1 commits a civil violation for which a fine of not more than \$2,500 may be adjudged.

3. Definition. For purposes of this section, "property" has the same meaning as set forth in Title 17-A, section 352, subsection 1.'

SUMMARY

This amendment replaces the bill. It establishes a civil violation with a maximum fine of \$2,500 for a person who falsely claims to be a member of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe or the Penobscot Nation, which are federally recognized, with the intent to obtain property to which the person is not entitled and, because of the false claim, does obtain property.

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to H.P. 1201, L.D. 1595

1 This amendment provides that "property" has the same definition as provided in the
2 Maine Revised Statutes, Title 17-A, section 352, subsection 1.

3 **FISCAL NOTE REQUIRED**

4 (See attached)



125th MAINE LEGISLATURE

LD 1595

LR 2397(02)

An Act To Impose a Penalty for Making False Claims Regarding Affiliation with a Federally Recognized Tribe

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-821)

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Increases the number of civil violations.

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