

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SMG
H. 013

Date: 3/13/12

(Filing No. H-764)

2

3

INLAND FISHERIES AND WILDLIFE

4

Reproduced and distributed under the direction of the Clerk of the House.

5

STATE OF MAINE

6

HOUSE OF REPRESENTATIVES

7

125TH LEGISLATURE

8

SECOND REGULAR SESSION

9

COMMITTEE AMENDMENT "A" to H.P. 1310, L.D. 1785, Bill, "An Act To Repeal the Requirement That Canadian Big Game or Wild Turkey Hunters Be Accompanied by Guides Licensed in the State"

10

11

12

Amend the bill by striking out the title and substituting the following:

13

'An Act To Repeal the Requirement That Canadian Big Game or Wild Turkey Hunters Be Accompanied by Guides Licensed in the State and To Clarify the Laws Concerning the Civil Violation of Trespass by Motor Vehicle'

14

15

16

Amend the bill by inserting after section 1 the following:

17

'Sec. 2. 17 MRSA §3853-C, as enacted by PL 1981, c. 251, is repealed and the following enacted in its place:

18

19

§3853-C. Trespass by motor vehicle; civil violation

20

1. Violation. A person may not park a motor vehicle or allow a motor vehicle under that person's control to remain parked:

21

22

A. In a private drive or private way in a manner that blocks or interferes with the free passage of other vehicles without the permission of the owner of that private drive or way; or

23

24

25

B. On a public highway in a manner that blocks the entrance to a private driveway, gate or barway.

26

27

2. Penalty. A person who violates subsection 1 commits a civil violation for which a fine of not less than \$500 must be adjudged.

28

29

3. Registered owner's liability for vehicle. There is a rebuttable presumption that a registered owner of a vehicle involved in a violation of subsection 1 has that vehicle under that person's control.'

30

31

COMMITTEE AMENDMENT

SUMMARY

This amendment replaces the title and clarifies the law concerning the civil violation of trespass by a motor vehicle. The amendment provides that a person commits a civil violation if that person parks a motor vehicle or allows a motor vehicle to remain parked in a private drive or private way in a manner that blocks or interferes with the free passage of other vehicles without the permission of the owner of the private drive or way. The amendment increases the fine from an amount not to exceed \$100 to an amount not less than \$500. The amendment also specifies that there is a rebuttable presumption that a registered owner of a vehicle involved in a violation has that vehicle under that person's control.

FISCAL NOTE REQUIRED

(See attached)



125th MAINE LEGISLATURE

LD 1785

LR 2694(02)

An Act To Repeal the Requirement That Canadian Big Game or Wild Turkey Hunters Be Accompanied by Guides Licensed in the State

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-766)
Committee: Inland Fisheries and Wildlife
Fiscal Note Required: Yes

Fiscal Note

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
Net Cost (Savings)				
General Fund	\$0	(\$37,437)	(\$37,437)	(\$37,437)
Revenue				
General Fund	\$0	\$37,437	\$37,437	\$37,437

Correctional and Judicial Impact Statements

Eliminates Class E crimes and civil violations.
A reduction in fines will decrease General Fund revenue by minor amounts.

Fiscal Detail and Notes

This legislation proposes to repeal the provision of law prohibiting residents of New Brunswick and Quebec from hunting big game and wild turkey in the state without a licensed guide and would increase license sales, and therefore General Fund revenues, by \$37,437 beginning in fiscal year 2012-13.