

MAINE STATE LEGISLATURE

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R O F S

MINORITY

L.D. 1040

Date: 6/10/2013

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JUDICIARY

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STATE OF MAINE

SENATE

126TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 354, L.D. 1040, Bill, "An Act To Prohibit the Placement of Cameras and Electronic Surveillance Equipment on Private Property without the Written Permission of the Landowner"

Amend the bill in section 1 in §2001 in subsection 1 in the last line (page 1, line 9 in L.D.) by inserting after the following: "landowner" the following: ', unless the placement is pursuant to a warrant'

Amend the bill in section 1 in §2001 by striking out all of subsection 2 (page 1, lines 10 to 12 in L.D.) and inserting the following:

2. Labeling. A person who places a camera or electronic surveillance equipment described in subsection 1 on the private property of another with the written consent of the landowner or pursuant to a warrant shall label the camera or electronic surveillance equipment with that person's name and contact information.

3. Remove or disable. A landowner may remove or disable a camera or electronic surveillance equipment placed on the landowner's private property in violation of this section.

4. Exceptions. This section does not prohibit the following:

A. The use of a camera to deter theft or vandalism of a motor vehicle when the motor vehicle is temporarily parked; or

B. The use of implanted or attached electronic devices to identify, monitor and track animals.

5. Penalty. A person who violates this section commits a civil violation for which a fine of not more than \$500 may be adjudged.'

SUMMARY

This amendment is the minority report of the Joint Standing Committee on Judiciary. This amendment provides that a camera or electronic surveillance equipment may be placed pursuant to a warrant. The amendment requires a person who places a camera or

COMMITTEE AMENDMENT

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1 electronic surveillance equipment on the private property of another with either the
2 landowner's permission or pursuant to a warrant to label the camera with the person's
3 name and contact information. It allows a landowner to remove or disable a camera or
4 electronic surveillance equipment placed without written consent or pursuant to a warrant
5 or that is not labeled.

6 This amendment creates exceptions for the use of cameras to deter theft or vandalism
7 of a motor vehicle when the motor vehicle is temporarily parked and for electronic
8 devices that are implanted or attached to animals to identify, monitor and track them.

9 The bill makes a violation of the prohibition a civil violation for which a fine of \$100
10 for each day of the violation may be adjudged. This amendment limits the fine to \$500
11 for a violation.

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



126th MAINE LEGISLATURE

LD 1040

LR 712(02)

An Act To Prohibit the Placement of Cameras and Electronic Surveillance Equipment on Private Property without the Written Permission of the Landowner

Fiscal Note for Bill as Amended by Committee Amendment "B(5-2101)"

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.