

# 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)

57MG  
ROES

# MAJORITY

L.D. 1074

Date: 6/8/15

(Filing No. S-209)

## CRIMINAL JUSTICE AND PUBLIC SAFETY

Reproduced and distributed under the direction of the Secretary of the Senate.

### STATE OF MAINE

### SENATE

### 127TH LEGISLATURE

### FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 377, L.D. 1074, Bill, "An Act To Create a Cause of Action for Damage to Public Easements"

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

**'An Act To Make Damaging a Public Easement with a Motor Vehicle a Class E Crime'**

Amend the bill by striking out all of section 2 and inserting the following:

**'Sec. 2. 17 MRSA §3853-D, sub-§2, ¶A-3 is enacted to read:**

A-3. "Emergency responder" means a person providing firefighting, rescue or emergency medical services.

**Sec. 3. 17 MRSA §3853-D, sub-§2, ¶C is enacted to read:**

C. "Public easement" has the same meaning as in Title 23, section 3021, subsection 2.'

Amend the bill by striking out all of section 3 and inserting the following:

**'Sec. 3. 17 MRSA §3853-D, sub-§3, ¶¶C and D, as amended by PL 1995, c. 539, §1, are further amended to read:**

C. An agent or employee of a landowner who operates a motor vehicle on farmland or forest land owned by that landowner in the scope of that agent's or employee's agency or employment; or

D. A law enforcement officer who, in an emergency and in the scope of that law enforcement officer's employment, operates a motor vehicle on farmland or forest land owned by another; or on a public easement; or

**Sec. 4. 17 MRSA §3853-D, sub-§3, ¶E is enacted to read:**

E. An emergency responder who, in an emergency and in performing the duties of the emergency responder, operates a motor vehicle on farmland or forest land owned by another or on a public easement.'

# COMMITTEE AMENDMENT

**R O F S**

COMMITTEE AMENDMENT "A" to S.P. 377, L.D. 1074

1 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
2 section number to read consecutively.

3 **SUMMARY**

4 This amendment is the majority report of the committee. The amendment strikes  
5 from the bill the definition of "public easement" and defines that term instead by  
6 reference to the Maine Revised Statutes, Title 23, section 3021, subsection 2 and provides  
7 a definition of "emergency responder." The amendment provides an exception for an  
8 emergency responder that is similar to the exception in current law for a law enforcement  
9 officer.

10 **FISCAL NOTE REQUIRED**

11 (See attached)



Approved: 05/28/15 *MAC*

# 127th MAINE LEGISLATURE

LD 1074

LR 1206(02)

**An Act To Create a Cause of Action for Damage to Public Easements**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (S-209)**

**Committee: Criminal Justice and Public Safety**

**Fiscal Note Required: Yes**

---

## Fiscal Note

Minor cost increase - General Fund  
Minor revenue increase - General Fund

### Correctional and Judicial Impact Statements

Establishes new Class E crimes.

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