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Date: (Filing No. S-)

JUDICIARY

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**STATE OF MAINE
SENATE
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” 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

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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)**