

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1439

H.P. 1003

House of Representatives, March 22, 2005

An Act To Increase the Penalties for Cemetery Damage

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative THOMPSON of China.
Cosponsored by Representatives: ANNIS of Dover-Foxcroft, BARSTOW of Gorham,
DUCHESNE of Hudson, EBERLE of South Portland, PIOTTI of Unity, SAVIELLO of
Wilton.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 15 MRSA §3314, sub-§1, ¶E-1** is enacted to read:

6 E-1. Notwithstanding paragraph E and Title 17-A, section
8 1325, if a juvenile is adjudicated as having committed an
10 offense that if committed by an adult would be a violation
12 of Title 17-A, section 507-A, the court shall require the
14 juvenile to pay restitution of \$500 or the actual cost of
16 damages, whichever is less.

18 **Sec. 2. 17-A MRSA §507-A, sub-§3,** as enacted by PL 1987, c.
20 326, §2, is amended to read:

22 ~~3. ---Any---person---who---violates---subsection---1---commits~~
24 Interference with a cemetery or burial ground is a Class D
26 crime. In addition to any other authorized sentencing
28 alternative, notwithstanding section 1325, the court shall impose
restitution of \$500 or the actual cost of damages, whichever is
less, for a violation of this section.

22 **SUMMARY**

24 This bill requires that, in addition to any other authorized
26 sentencing alternatives, a court shall impose mandatory
28 restitution for adult or juvenile offenders who are convicted or
adjudicated of causing damage to a cemetery.