

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE (Filing No. S-272)  
108TH LEGISLATURE  
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to H.P. 1661, L.D. 1857, Bill, "AN ACT to Prevent the Display of Adult Magazines to Minors."

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'17 MRSA §2906 is enacted to read:

§2906. Magazines containing obscene material on their covers not to be displayed to minors

1. Prohibition. No book, magazine or newspaper containing obscene material on its cover and offered for sale shall be displayed in a location accessible to minors unless the cover of that book, magazine or newspaper is covered with an opaque material sufficient to prevent the obscene material from being visible.

2. Definitions. For purposes of this section, the following terms shall have the following meanings.

A. "Minor" means any person who has not attained his 18th birthday,

B. "Obscene material" means material which:

(1) To the average individual applying contemporary community standards, with respect to what is suitable material for minors, considered as a whole, appeals to prurient interests;

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(2) Depicts or describes in a patently offensive manner, human sexual intercourse, masturbation, sodomy, direct physical stimulation of unclothed genitals, or flagellation or torture in the context of ultimate sex acts, or which emphasizes the lewd depiction of uncovered genitals; and

(3) When considered as a whole, lacks serious literary, artistic, political or scientific value.

3. Civil violation. Any person violating this section shall be subject to a forfeiture of not more than \$250.'

Statement of Fact

The purpose of this amendment is to prohibit the public display for sale of obscene material, in order to aid parents in supervising and controlling the access and exposure of children to that material.

NAME: (S. Collins)

COUNTY: *Samuel W. Collins Jr*  
Knox

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June 16, 1977

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