

# 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)

1  
2  
  
3  
4  
5  
6  
  
7  
8  
9  
  
10  
11  
12  
  
13  
  
14  
15  
16  
  
17  
18  
  
19  
20  
21  
22  
  
23  
24  
  
25  
26  
27  
28  
29  
30  
  
31  
32  
33  
34

STATE OF MAINE  
SENATE  
111TH LEGISLATURE  
FIRST REGULAR SESSION

SENATE AMENDMENT " A" to S.P. 112, L.D. 264,  
Bill, "AN ACT to Prohibit the Dissemination of  
Obscene Material."

Amend the bill in section 2 by striking out all  
of that part designated "§2932." and inserting in its  
place the following:

'§2932. Obscenity

1. Promotion, presentation; offense. A person  
commits an offense if, knowing its content and char-  
acter, he:

A. Promotes or possesses with intent to promote  
any obscene material or obscene device; or

B. Produces, presents or directs an obscene per-  
formance or participates in a portion thereof  
that is obscene or that contributes to its  
obscurity.

2. Penalty for promotion, presentation. Any  
violation of subsection 1 is a Class D crime.

A. This section does not apply to any noncommer-  
cial distribution or exhibition for purely educa-  
tional purposes by any library, art gallery,  
museum, public school, private school or institu-  
tion of learning, or to any commercial distribu-  
tion or exhibition by any art gallery or museum.

3. Presumption of knowledge of content and char-  
acter. A person who promotes or wholesale promotes  
obscene material or an obscene device, or possesses  
the material or device with intent to promote or

D. OF R.

SENATE AMENDMENT "A" to S.P. 112, L.D. 264

1 wholesale promote it in the course of his business,  
2 is presumed to do so with knowledge of its content  
3 and character.

4 4. Presumption of intent to promote. A person  
5 who possesses 6 or more obscene devices or 6 or more  
6 obscene articles, whether those devices or articles  
7 are similar or identical, is presumed to possess them  
8 with intent to promote the devices or articles. This  
9 section does not apply to any noncommercial distribu-  
10 tion or exhibition for purely educational purposes by  
11 any library, art gallery, museum, public school, pri-  
12 ivate school or institution of learning, or to any  
13 commercial distribution or exhibition by any art gal-  
14 lery or museum.

15 5. Exception; law enforcement activities. This  
16 section does not apply to a person who possesses or  
17 distributes obscene material or obscene devices, or  
18 participates in conduct otherwise proscribed by this  
19 section, when the possession, participation or con-  
20 duct occurs in the course of law enforcement activi-  
21 ties.'

22 STATEMENT OF FACT

23 The purpose of this amendment is to revise and  
24 clarify Title 17, section 2932, relating to obscen-  
25 ity.

26 3260041183

27 (Sen. Hichens)  
28 NAME: *Walter H. Hichens*  
29 COUNTY: York