

# MAINE STATE LEGISLATURE

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L.D. 1787

(Filing No. S-169)

STATE OF MAINE  
SENATE  
113TH LEGISLATURE  
FIRST REGULAR SESSION

SENATE AMENDMENT "B " to H.P. 1309, L.D. 1787,  
Bill, "AN ACT to Revise the Harassment Law."

Amend the bill in section 1, in that part designated "§4651." by striking out all of subsections 1 to 4 (page 2, lines 1 to 25 in L.D.) and inserting in their place the following:

1. Court. "Court" means any District Court or Superior Court.

2. Harassment. "Harassment" means any repeated act of intimidation, harassment, physical force or threat of physical force whether or not performed under color of law, directed against any person, family or their property or advocate with the intention of causing fear or intimidation or to deter free exercise or enjoyment of any rights or privileges secured by the Constitution of Maine and the United States Constitution. This definition does not include any act protected by the constitutional guarantee of free speech.

3. Law enforcement agency. "Law enforcement agency" means the State Police, a sheriff's department or a municipal police department.'

Further amend the Bill in section 1, in that part designated "§4653." in subsection 1, in the first line (page 2, line 36 in L.D.) by striking out the following: "adult" and inserting in its place the following: 'person'

Further amend the Bill in section 2, in that part designated "§2931" by striking out all of the first paragraph (page 9, lines 11 to 23 in L.D.) and inserting in its place the following:

SENATE AMENDMENT "B" to H.P. 1309, L.D. 1787

1 'No person, whether or not acting under color of  
2 law, may by force or threat of force, intentionally  
3 injure, intimidate or interfere with, or intentional-  
4 ly attempt to injure, intimidate or interfere with or  
5 intentionally oppress or threaten any other person in  
6 the free exercise or enjoyment of any right or privi-  
7 lege, secured to him by the Constitution of Maine or  
8 laws of the State or by the United States Constitu-  
9 tion or laws of the United States.'

10 Further amend the bill by inserting before the  
11 statement of fact the following:

12 'Sec. 4. Appropriation. The following funds are  
13 appropriated from the General Fund to carry out the  
14 purposes of this Act.

15 1988-89

16 JUDICIAL DEPARTMENT

17 Courts-Supreme, Supe-  
18 rior  
19 District and Adminis-  
20 trative

21 Personal Services \$23,114

22 FISCAL NOTE

23 This bill provides funds to the court system for  
24 part-time help to process the additional case load  
25 estimate to occur as a result of this bill. Due to  
26 the delayed effective date of the bill and the time  
27 needed to begin processing these cases, no funding is  
28 necessary in fiscal year 1987-88.'

R. of S.

SENATE AMENDMENT " B " to H.P. 1309, L.D. 1787

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STATEMENT OF FACT

2 This amendment would prohibit harassment of any  
 3 person which is intended to cause fear or apprehen-  
 4 sion or otherwise infringe on the lawful enjoyment of  
 5 that person's constitutional and legal rights. Refer-  
 6 ences in the original bill which proscribed acts of  
 7 harassment motivated by race, color, sex, ethnic  
 8 background, nationality, country of origin, religious  
 9 belief, age, sexual orientation or disability are de-  
 10 leted. The amendment also expands the incident re-  
 11 port requirements of the State Bureau of Investiga-  
 12 tion. The amendment also deletes references to Indi-  
 13 an law enforcement agencies. This amendment also  
 14 clarifies that a victim of harassment may be of any  
 15 age. The amendment also adds a fiscal note.

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(Sen. Gauvreau)

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SPONSORED BY:



19

COUNTY: Androscoggin

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