

# 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)



# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

---

Legislative Document

No. 1092

S.P. 404

In Senate, March 30, 1995

**Resolve, Directing the Attorney General's Office to Review the Current  
Definition and Judicial Interpretation of Harassment.**

(EMERGENCY)

---

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

Presented by Senator HANLEY of Oxford.  
Cosponsored by Senator: MILLS of Somerset.

2           **Emergency preamble.** Whereas, Acts and resolves of the  
Legislature do not become effective until 90 days after  
adjournment unless enacted as emergencies; and

4  
6           **Whereas,** the statutory definition of "harassment" contained  
in the criminal code may be insufficient to provide appropriate  
protection to the citizens of the State; and

8  
10           **Whereas,** an in-depth review of judicial interpretations of  
Maine law and provisions of other states' laws by the Department  
of the Attorney General has not occurred; and

12  
14           **Whereas,** these activities are necessary to craft a statute  
that provides adequate protection to stalking victims and other  
citizens in a timely manner; and

16  
18           **Whereas,** in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
safety; now, therefore, be it

22  
24           **Sec. 1. Review and analyze harassment laws. Resolved:** That the  
Department of the Attorney General shall review and analyze the  
current definition of "harassment" contained in the Maine Revised  
Statutes, Title 17-A, section 506-A, to determine what activities  
and behavior fall within the definition. The analysis must  
include a review of judicial interpretations of the law. The  
Attorney General shall solicit input from the Judicial Department  
in the review and analysis; and be it further

32           **Sec. 2. Review of other states' laws. Resolved:** That the  
Department of the Attorney General shall review and analyze  
statutes from other states that have the same general purpose as  
the Maine Revised Statutes, Title 17-A, section 506-A. Judicial  
interpretations of the other states' statutes must be reviewed if  
accessible; and be it further

38           **Sec. 3. Recommendations. Resolved:** That the Department of  
the Attorney General shall report the findings of the review and  
analysis, along with any recommendations, including legislation,  
concerning the harassment laws, to the Legislature and the Joint  
Standing Committee on Judiciary by December 15, 1995. In  
developing recommendations, the Department of the Attorney  
General shall solicit input from the Judicial Department.

46  
48           **Emergency clause.** In view of the emergency cited in the  
preamble, this resolve takes effect when approved.

2

## STATEMENT OF FACT

4           This resolve requires the Department of the Attorney General  
6           to review and analyze the harassment laws and judicial  
8           interpretations of harassment laws and make a report and  
10          recommendations to the Legislature and the Joint Standing  
            Committee on Judiciary by December 15, 1995. The Department of  
            the Attorney General shall solicit input from the Judicial  
            Department.