

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1140

H.P. 817

House of Representatives, February 9, 1999

### An Act to Protect Cemeteries.

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SNOWE-MELLO of Poland.  
Cosponsored by Senator DAVIS of Piscataquis and  
Representatives: CHICK of Lebanon, FOSTER of Gray, GLYNN of South Portland,  
HEIDRICH of Oxford, JOY of Crystal, MACK of Standish, SCHNEIDER of Durham.

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

4 Sec. 1. 17-A MRSA §507-A, sub-§4 is enacted to read:

6 4. Additional penalties. In addition to any other  
punishment, the court shall impose the following penalties for a  
violation of subsection 1.

8 A. If the violation was committed by a minor, the court  
shall order:

12 (1) The violator or the violator's family to pay  
restitution for all damages; and

14 (2) The violator to perform 8 hours per week of  
community service for the cemetery for 2 consecutive  
summers following the conviction, commencing the week  
18 after school ends and ending the week before school  
commences.

20 B. If the violation was committed by an adult, the court  
shall order the violator to:

24 (1) Pay restitution for all damages; and

26 (2) Perform 5 hours per week of community service for  
the cemetery for one year.

28 C. Upon completion of the court's sentence, the violator  
shall submit to the court proof that the violator has  
30 completed the community service and restitution.

### 34 SUMMARY

36 This bill requires a mandatory minimum sentence for a person  
convicted of vandalizing a cemetery. If the violator is a minor,  
38 the court must require the violator or the violator's family to  
pay restitution and require the violator to perform 8 hours of  
40 community service per week for the cemetery for 2 consecutive  
summers following the conviction. If the violator is an adult,  
42 the court must require the violator to pay restitution and to  
perform 5 hours of community service for the cemetery per week  
44 for one year.