

# MAINE STATE LEGISLATURE

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# 122<sup>nd</sup> MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 1174

S.P. 402

In Senate, March 8, 2005

### **An Act To Strengthen Enforcement of the Political Signs Law**

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Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator DAMON of Hancock.  
Cosponsored by Senator: COWGER of Kennebec, Representatives: DUNN of Bangor,  
FISHER of Brewer, PATRICK of Rumford.

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

**Sec. 1. 23 MRSA §1917-A, sub-§1,** as enacted by PL 1989, c. 315, is amended to read:

**1. Taking, defacing or disturbing political sign; civil violation.** A person who takes, defaces or disturbs a lawfully placed sign bearing political messages relating to a general election, primary election, statewide election or referendum commits a civil violation for which a ~~forfeiture~~ fine of up to \$250 ~~\$1,000~~ may be adjudged.

**Sec. 2. 23 MRSA §1920,** as repealed and replaced by PL 1981, c. 318, §4, is repealed and the following enacted in its place:

**§1920. Penalty**

**1. Civil violation.** Any person, firm, corporation or other legal entity who erects, maintains or displays a sign contrary to and in violation of this chapter, or the rules adopted by the commissioner, must be punished by a fine of not more than \$100 together with the cost of removal of the signs. The unlawful maintenance or display of each sign or advertising structure for any one day constitutes a separate offense.

**2. Other actions.** In addition to other penalties, the commissioner may, in the name of the State, institute any appropriate action, injunction or other proceeding to prevent, restrain, correct or abate any violation of this chapter or any orders or the rules issued or adopted hereunder.

**3. Criminal violation.** Notwithstanding the provisions of subsection 1 or Title 17-A, chapter 53, a violation of section 1913-A, subsection 1, paragraph H is a Class E crime punishable by a \$100 fine per sign per day the sign is in violation. The State Police and the municipal law enforcement authority in the municipality where the sign is located shall enforce this subsection.

**SUMMARY**

This bill makes the improper placement of political signs a Class E crime punishable by a \$100 fine per sign per day and enforceable by the State Police and municipal law enforcement authorities and increases the fine for taking, defacing or disturbing political signs from up to \$250 to up to \$1,000.