

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 4, L.D. 3, Bill, "An Act To Strengthen "Permissible Inference" in the Law Concerning Dissemination of Sexually Explicit Material"

Amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

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

Sec. 1. 17-A MRSA §283, sub-§2, as enacted by PL 2003, c. 711, Pt. B, §12, is amended to read:

2. For the purposes of this section, possession of ~~10~~ 2 or more copies of ~~any of the materials as described in subsection 1~~ same book, magazine, newspaper, print, negative, slide, motion picture, videotape, computer data file or other mechanically, electronically or chemically reproduced visual image or material gives rise to a permissible inference under the Maine Rules of Evidence, Rule 303 that the person possesses those items with intent to disseminate.'

SUMMARY

This amendment replaces the bill. The amendment removes the emergency clause and preamble and specifies that, for purposes of dissemination of sexually explicit materials, possession of 2 or more copies of the same book, magazine, newspaper, print, negative, slide, motion picture, videotape, computer data file or other mechanically, electronically or chemically reproduced visual image or material gives rise to a permissible inference under the Maine Rules of Evidence, Rule 303 that the person who possesses those items has the intent to disseminate them.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



Approved: 02/23/07 *MAC*

123rd MAINE LEGISLATURE

LD 3

LR 528(02)

**An Act To Strengthen "Permissible Inference" in the Law Concerning Dissemination of Sexually
Explicit Material**

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-20)
Committee: Criminal Justice and Public Safety
Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Correctional and Judicial Impact Statements

Increases violations of Class A, B and C crimes; increases correctional and judicial costs.