

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 246

S.P. 83

January 18, 2007

An Act To Protect the Solemnity and Dignity of a Funeral or Memorial Service in Maine

Reference to the Committee on Criminal Justice and Public Safety 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 HASTINGS of Oxford.

Cosponsored by Representative CROSTHWAITE of Ellsworth, Representative CEBRA of Naples and Senators: BOWMAN of York, COURTNEY of York, NASS of York, PLOWMAN of Penobscot, SAVAGE of Knox, Representatives: HAMPER of Oxford, SYKES of Harrison, TARDY of Newport.

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

2 **Sec. 1. 17-A MRSA §501, sub-§2**, as amended by PL 1975, c. 740, §64, is
3 further amended to read:

4 2. In a public or private place, ~~he~~ the person knowingly accosts, insults, taunts or
5 challenges ~~any~~ another person with offensive, derisive or annoying words, or by gestures
6 or other physical conduct, which would in fact have a direct tendency to cause a violent
7 response by an ordinary person in the situation of the person so accosted, insulted,
8 taunted or challenged; ~~or~~

9 **Sec. 2. 17-A MRSA §501, sub-§3**, as amended by PL 1995, c. 258, §1, is further
10 amended to read:

11 3. In a private place, the person makes loud and unreasonable noise that can be
12 heard by another person, who may be a law enforcement officer, as unreasonable noise in
13 a public place or in another private place, after having been ordered by a law enforcement
14 officer to cease the noise; ~~or~~

15 **Sec. 3. 17-A MRSA §501, sub-§4-A** is enacted to read:

16 **4-A.** Within 1,000 feet of a facility or cemetery being used for a funeral, memorial or
17 burial service, the person intentionally passes out leaflets or handbills, displays a sign or
18 engages in oral protest, education or counseling with knowledge of the funeral, memorial
19 or burial service during the 120 minutes immediately preceding the scheduled starting
20 time of the funeral, memorial or burial service, during the funeral, memorial or burial
21 service or during the 60 minutes immediately following the funeral, memorial or burial
22 service.

23 **SUMMARY**

24 This bill makes it a Class E crime for a person to pass out leaflets or handbills,
25 display a sign or engage in oral protest, education or counseling within 1,000 feet of a
26 facility or cemetery being used for a funeral, memorial or burial service with knowledge
27 of the funeral, memorial or burial service during the 120 minutes immediately preceding
28 the scheduled starting time of the funeral, memorial or burial service, during the funeral,
29 memorial or burial service or during the 60 minutes immediately following the funeral,
30 memorial or burial service.