

MAINE STATE LEGISLATURE

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MINORITY

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S P 62, L D 123, "An Act to Eliminate the Educational Purposes Exception to the Prohibition on the Dissemination of Obscene Matter to Minors"

Amend the bill by striking out the title and substituting the following

'An Act to Prohibit the Dissemination of Obscene Matter to Minors in Public Schools'

Amend the bill by striking out everything after the enacting clause and inserting the following

'Sec. 1 17 MRSA §2911, sub-§3-A is enacted to read

3-A Public schools. If a matter is declared obscene in a proceeding under subsection 3 and the Attorney General or district attorney finds that a public school is disseminating that obscene matter, the Attorney General or district attorney shall issue a cease and desist order prohibiting the public school from disseminating the obscene matter. Nothing in this subsection affects the exemption provided under subsection 2, paragraph A with respect to a criminal prosecution brought under this section.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

SUMMARY

This amendment replaces the bill and changes the title. The amendment provides that if a matter is declared obscene under existing procedures and the Attorney General or district attorney finds that a public school is disseminating that obscene matter, the Attorney General or district attorney must issue a cease and desist order prohibiting the public school from disseminating the obscene matter. The amendment also states that the new provision does not affect the exemption provided by current law with respect to a criminal prosecution.

COMMITTEE AMENDMENT