



130th MAINE LEGISLATURE

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Legislative Document

No. 1016

H.P. 754

House of Representatives, March 10, 2021

**An Act To Ensure That Assemblies, Protests and Demonstrations in
Maine Remain Peaceful**

(EMERGENCY)

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

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative ANDREWS of Paris.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** this legislation needs to take effect before the expiration of the 90-day
4 period in order to preserve the public peace, health and safety by ensuring that assemblies,
5 protests, and demonstrations in this State remain peaceful; and

6 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
7 the meaning of the Constitution of Maine and require the following legislation as
8 immediately necessary for the preservation of the public peace, health and safety; now,
9 therefore,

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

11 **Sec. 1. 17-A MRSA §2, sub-§25,** as enacted by PL 2001, c. 634, §2, is amended
12 to read:

13 **25.** "Terroristic intent" means the intent to do any of the following for the purpose of
14 intimidating or coercing a civilian population or to affect the conduct of government:

15 A. Cause serious bodily injury or death to multiple persons;

16 B. Cause substantial damage to multiple structures; or

17 C. Cause substantial damage to critical infrastructure;

18 D. Destroy public property or works of art, including but not limited to statuary;

19 E. Destroy business infrastructure or commit theft in connection with the destruction
20 of business infrastructure;

21 F. Use fire, fireworks, combustible materials, body fluids, frozen liquids, bottles,
22 bricks, rocks or other objects that, in the manner they are used or threatened to be used
23 are capable of producing death or serious bodily injury;

24 G. Start a fire on the property of another during a public protest, demonstration or
25 assembly; or

26 H. Assault a law enforcement officer or public servant during a public protest,
27 demonstration or assembly.

28 **Sec. 2. 17-A MRSA §213, sub-§1,** as enacted by PL 2001, c. 634, §4, is amended
29 to read:

30 **1.** A person is guilty of aggravated reckless conduct if the person with terroristic intent
31 engages in conduct that in fact creates a substantial risk of serious bodily injury to another
32 person or engages in the willful destruction of public or private property.

33 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
34 takes effect when approved.

35 SUMMARY

36 This bill amends the definition of "terroristic intent" in the Maine Criminal Code to
37 include the intent to do any of the following for the purpose of intimidating or coercing a
38 civilian population or to affect the conduct of government:

- 1 1. Destroy public property or works of art, including but not limited to statuary;
- 2 2. Destroy business infrastructure or commit theft in connection with the destruction
- 3 of business infrastructure;
- 4 3. Use fire, fireworks, combustible materials, body fluids, frozen liquids, bottles,
- 5 bricks, rocks or other objects that, in the manner they are used or threatened to be used
- 6 are capable of producing death or serious bodily injury;
- 7 4. Start a fire on the property of another during a public protest, demonstration or
- 8 assembly; or
- 9 5. Assault a law enforcement officer or public servant during a public protest,
- 10 demonstration or assembly.

11 The bill also provides that a person is guilty of the Class B crime of aggravated reckless
12 conduct if the person with terroristic intent engages in the willful destruction of public or
13 private property.