

HOUSE No. 1347

By Mr. Carney of Boston, petition of Daniel W. Carney for legislation to prohibit the display of obscene matters to the public. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Two.

AN ACT PROHIBITING PUBLIC DISPLAYS OF OBSCENE MATTER.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 272 of the General Laws is hereby amended by
2 adding the following sections: —

3 *Section 30E.* Any person who knowingly displays publicly
4 any picture, photograph, drawing, sculpture, or other visual
5 representation or image of a person or portion of the human
6 body that depicts nudity, sado-masochistic abuse, sexual
7 conduct, or sexual excitement, or any page, poster, or other
8 written or printed matter bearing such representation or a
9 verbal description or narrative account of such items or
10 activities, or any offensive words, shall be punished by im-
11 prisonment in state prison for not more than five years or in a
12 jail or house of correction for not more than two and one half
13 years or by a fine of not less than one hundred dollars nor
14 more than five thousand dollars or by both such fine and
15 imprisonment.

16 Any person who shall knowingly permit such display on
17 premises owned, rented, or operated by him shall be punished
18 by imprisonment in state prison for not more than five years
19 or in a jail house of correction for not more than two and one
20 half years or by a fine of not less than one hundred dollars nor
21 more than five thousand dollars or by both such fine and
22 imprisonment.

23 *Section 30F. Definitions.* — As used in section 30D the fol-
24 lowing words shall have the following meaning: —

25 (1) “offensive words” mean those slang words currently
26 thought by contemporary community standards to be unfit for
27 use in public which depict sexual or excretory organs, sexual
28 conduct or excretory products.

29 (2) “displays publicly” means the exposing, placing, posting,
30 exhibiting, or in any fashion displaying in any location,
31 whether public or private, an item in such a manner that it
32 may be readily seen and its content or character distinguished
33 by normal unaided vision viewing it from a public thorough-
34 fare, depot, or vehicle; it shall also include the giving out of
35 handbills in a public thoroughfare, depot, or vehicle; and

36 (3) “public thoroughfare, depot, or vehicle” means any
37 street, highway, park, arcade, depot, or transportation platform,
38 or other place, whether indoors or out, or any vehicle for
39 public transportation, owned or operated by government, either
40 directly or through a public corporation or authority, or owned
41 or operated by any agency of public transportation, that is
42 designed for the use, enjoyment, or transportation of the citi-
43 zenry.

44 *Section 30G.* The following presumptions are applicable to
45 section thirty D:

46 (1) Any person managing or operating premises wherein a
47 public display in violation of this section takes place who is on
48 the premises at the time of the violation shall be presumed to
49 have been the operator of the premises and to have knowledge
50 of the obscene matter being publicly displayed.

51 (2) The owner, lessee, or operator of premises wherein a
52 public display in violation of this section takes place shall be
53 presumed to have knowingly caused that public display to have
54 been made, to have had knowledge of the nature of the items
55 publicly displayed, and to have known that they could have
56 been seen and distinguished from an adjoining public thorough-
57 fare or depot.

58 *Section 30H.* It shall be a defense that the public display of
59 nudity, sado-masochistic abuse, sexual conduct or sexual excite-
60 ment exhibited by a bona fide art, antique, or similar gallery or
61 exhibition, and visible in a normal display setting or if the
62 display was primarily for artistic purposes or done as a public
63 service.

64 Section 30 I. If any phrase, clause, sentence or provision of
65 section thirty E through thirty H or application to any person
66 or circumstance is held invalid, such invalidity shall not affect
67 any other phrase, clause, sentence, provision or application of
68 sections thirty E through thirty H, which can be given effect
69 without the invalid phrase, clause, sentence, provision or appli-
70 cation and to this end the provisions of sections thirty E
71 through thirty H are declared to be severable.

The first part of the document discusses the early history of the region, focusing on the settlement patterns and the role of the local government. It mentions the establishment of the first school in 1871 and the subsequent growth of the community. The text also touches upon the economic activities of the time, such as agriculture and trade.

The second part of the document provides a detailed account of the social and cultural life of the community. It describes the various festivals and traditions that have been passed down through generations. The text also discusses the role of the church in the community and the impact of the local government on the residents' lives.

The third part of the document focuses on the economic development of the region. It discusses the growth of the local economy and the role of the government in promoting economic activities. The text also mentions the establishment of various industries and the impact of the local government on the residents' lives.

The fourth part of the document discusses the political and administrative changes in the region. It mentions the establishment of the local government and the subsequent changes in the administrative structure. The text also discusses the role of the local government in the development of the region.

The fifth part of the document provides a summary of the key findings of the study. It discusses the impact of the local government on the community and the role of the residents in the development of the region. The text also mentions the need for further research in this area.