

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 480, L.D. 651, Bill, "An Act to Expand the Definition of "Aggravated Criminal Mischief" to Make It a Class C Crime to Damage Property by Fire or Explosion"

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

'An Act to Expand the Definition of "Aggravated Criminal Mischief" to Make It a Class C Crime to Damage Property by Fire'

Further amend the bill in section 3 by striking out all of paragraph E and inserting in its place the following:

'E. Damages or destroys property of another by fire, having no reasonable ground to believe that the person has a right to do so, and the property damaged or destroyed is neither a dwelling place as defined in section 2, subsection 10 nor a structure as defined in section 2, subsection 24.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

This bill increases the penalty for certain crimes from Class D to Class C crimes, resulting in a shift of costs from the counties to the State. Sentences of more than 9 months for Class C crimes must be served in state correctional institutions at the cost of \$53,033 per sentence based on an average length of stay of 1 year and 10 months. Sentences of 9 months or less for a Class C crime and all sentences for a Class D crime must be served in county jails. The State must reimburse counties for

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2 housing Class C crime offenders but does not provide
reimbursement for Class D offenders.

4 The Judicial Department may require additional General Fund
6 appropriations to cover increased indigent defense costs related
to these cases when the class of crime is increased. The amounts
8 can not be estimated at this time. The collection of additional
fines may also increase General Fund revenue by minor amounts.'

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SUMMARY

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14 The amendment changes the title and specifies that, in the
expanded definition of aggravated criminal mischief, property
16 damaged or destroyed does not include a dwelling or structure.
The amendment also adds a fiscal note to the bill.

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