

# MAINE STATE LEGISLATURE

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L.D. 1903

DATE: 4-30-04

(Filing No. S-601)

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STATE OF MAINE  
SENATE  
121ST LEGISLATURE  
SECOND SPECIAL SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1409, L.D. 1903, Bill, "An Act To Further Implement the Recommendations of the Commission To Improve the Sentencing, Supervision, Management and Incarceration of Prisoners"

Amend the amendment in Part A by striking out all of sections 23 and 24.

Further amend the amendment in Part A in section 27 by striking out all of the first paragraph (page 19, lines 18 to 23 in amendment) and inserting in its place the following:

**'Sec. A-27. Review and report regarding deferred disposition and administrative release.** By February 1, 2005, the Office of Substance Abuse, within the Department of Behavioral and Developmental Services or a successor agency, and the Department of Public Safety, in consultation with the district attorneys, shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters regarding matters associated with the implementation of this Part. This report is preliminary and may be presented orally or in writing at a time scheduled by the committee and must be prepared within available existing resources. The Legislature requests that by September 30, 2005 the courts, in consultation with the district attorneys, report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters:'

Further amend the amendment in Part E by striking out all of section 1 and inserting in its place the following:

2008

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1409, L.D. 1903

'Sec. E-1. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

Departmentwide - Overtime

Initiative: Deappropriates funds as a result of reduced overtime requirements.

<b>General Fund</b>	<b>2003-04</b>	<b>2004-05</b>
Personal Services	\$0	(\$55,040)
General Fund Total	<hr/> \$0	<hr/> (\$55,040)

CORRECTIONS, DEPARTMENT OF DEPARTMENT TOTALS

	<b>2003-04</b>	<b>2004-05</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>(\$55,040)</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<hr/> <b>\$0</b>	<hr/> <b>(\$55,040)</b>

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative

Initiative: Provides funds to contract for computer programming services.

<b>General Fund</b>	<b>2003-04</b>	<b>2004-05</b>
All Other	\$0	\$55,040
General Fund Total	<hr/> \$0	<hr/> \$55,040

JUDICIAL DEPARTMENT DEPARTMENT TOTALS

	<b>2003-04</b>	<b>2004-05</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$55,040</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<hr/> <b>\$0</b>	<hr/> <b>\$55,040</b>

SECTION TOTALS

	<b>2003-04</b>	<b>2004-05</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>SECTION TOTAL - ALL FUNDS</b>	<hr/> <b>\$0</b>	<hr/> <b>\$0</b>

R. of G.

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1409,  
L.D. 1903

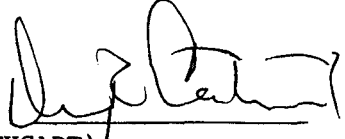
2 Further amend the amendment by relettering or renumbering  
any nonconsecutive Part letter or section number to read  
4 consecutively.

6 **SUMMARY**

8 This amendment changes the date by which the courts, in  
consultation with the district attorneys, are requested to report  
10 to the Legislature from May 1, 2005 to September 30, 2005. This  
amendment eliminates the appropriation that was associated with  
12 preparation of that report in fiscal year 2004-05 and moves those  
costs to fiscal year 2005-06.

14 This amendment strikes sections 23 and 24 from Part A of the  
16 Committee Amendment.

18 This amendment also requires the Office of Substance Abuse  
and the Department of Public Safety, in consultation with the  
20 district attorneys, to prepare a preliminary report regarding  
deferred disposition and administrative release.

22  
24   
26 SPONSORED BY: \_\_\_\_\_  
(Senator CATHCART)

28 COUNTY: Penobscot

30

FISCAL NOTE REQUIRED  
(See attached)

**SENATE AMENDMENT**

**121st Maine Legislature  
Office of Fiscal and Program Review**

**LD 1903**

**An Act To Further Implement the Recommendations of the Commission  
To Improve the Sentencing, Supervision, Management and Incarceration  
of Prisoners**

**LR 2718(13)**

**Fiscal Note for Senate Amendment 'A' to Committee Amendment 'A'**

**Sponsor: Sen. Cathcart**

**Fiscal Note Required: Yes**

**Fiscal Note**

	<b>2003-04</b>	<b>2004-05</b>	<b>2005-06</b>	<b>2006-07</b>
<b>Net Cost (Savings)</b>				
General Fund	\$0	(\$95,040)	\$0	(\$48,500)
<b>Appropriations/Allocations</b>				
General Fund	\$0	(\$95,040)	\$0	(\$48,500)

**Fiscal Detail and Notes**

This amendment eliminates the \$95,040 fiscal year 2004-05 General Fund cost by adding an offsetting deappropriation of \$55,040 from the Department of Corrections for reduced overtime requirements and by moving a report date to September 30, 2005, which cut \$40,000 out of fiscal year 2004-05. A future appropriation projected for fiscal year 2006-07 in the committee amendment is also removed as the report requirement is not ongoing. As amended, the bill still requires a \$47,000 appropriation in fiscal year 2005-06 to the Judicial Department to contract for in-depth sentencing analysis and report production. The amendment also strikes section A-23 and A-24. These provisions are included in LD 1856.