

MAINE STATE LEGISLATURE

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L.D. 580

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(Filing No. H- 265)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
111TH LEGISLATURE
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 483,
L.D. 580, Bill, "AN ACT Regarding Multiple Sentences
of Imprisonment."

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Amend the bill by inserting after the enacting
clause the following:

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'Sec. 1. 17-A MRSA §752-A, sub-§1, ¶B, as
enacted by PL 1977, c. 656, §2, is amended to read:

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B. While in custody in a penal institution or
other facility pursuant to an arrest or pursuant
to court order, he commits an assault on a member
of the staff of the institution or facility. As
used in this paragraph, "assault" means the crime
defined in ~~chapter 9~~, section 207, subsection 1.

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Sec. 2. 17-A MRSA §752-A, sub-§2, as enacted by
PL 1977, c. 656, §2, is amended to read:

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2. A complaint for an assault on an officer may
only be brought by the chief administrative officer
of the law enforcement agency or penal institution or
facility in which the officer against whom the
assault was allegedly committed is a member or is
assigned.'

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Further amend the bill in section 1, subsection
1, 4th line (page 1, line 27 in L.D.) by inserting
after the word "a" the following underlined words
'violation of section 752-A or of any other'

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Further amend the bill in section 1, subsection
1, 8th line (page 1, line 31 in L.D.) by striking out
the underlined word "section" and inserting in its
place the following underlined word 'subsection'

COMMITTEE AMENDMENT "A" to H.P. 483, L.D. 580

1 Further amend the bill in section 1, subsection
2 1, in the 11th line (page 1, line 34 in L.D.) by add-
3 ing a new sentence at the end to read: 'All sentences
4 that the convicted person receives as a result of the
5 crimes mentioned in this subsection shall be consecu-
6 tive to all other sentences.'

7 Further amend the bill in section 1, subsection
8 1, by striking out all of paragraph A (page 2, lines
9 1 to 3 in L.D.).

10 Further amend the bill by renumbering the sec-
11 tions to read consecutively.

12 STATEMENT OF FACT

13 This amendment consolidates provisions of L.D.
14 580 with those of L.D. 1034, An Act to Deter Assaults
15 on Officers in Penal Institutions, which is also
16 intended to promote the 2nd stated purpose of L.D.
17 580, deterring assaults on officers. Consolidation
18 promotes the purposes of both bills and reduces the
19 confusion which might have been the result were the
20 directives for consecutive sentencing required by
21 each of the bills to be placed in 2 different chap-
22 ters of the Maine Criminal Code.

23 This amendment also adds a reference to Title
24 17-A, section 752-A in Title 17-A, section 1256 for
25 the purpose of clarity, and replaces references to
26 "correctional institution" with references to "penal
27 institution or facility" for the purpose of consist-
28 ency.

29 The amendment corrects a reference to "section"
30 which should have been "subsection" and rewrites a
31 sentence enacted in the bill for purposes of form and
32 clarity.

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