

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1640, L.D. 2273, Bill, "An Act to Create a Community Restitution Center"

Amend the bill by striking out all of the title and inserting in its place the following:

**'An Act to Create Community Restitution Centers'**

Amend the bill in section 3 in subsection 6 in the 3rd and 4th lines (page 1, lines 25 and 26 in L.D.) by striking out the following: "Southern Maine Community Restitution Center" and inserting in its place the following: 'community restitution centers'

Further amend the bill in section 4 by striking out all of the 3rd line (page 1, line 35 in L.D.) and inserting in its place the following:

**'COMMUNITY RESTITUTION CENTERS'**

Further amend the bill in section 4, in that part designated "§3951." in subsection 2 in the first and 2nd lines (page 1, lines 45 and 46 in L.D.) by striking out the following: "the Southern Maine Community Restitution Center" and inserting in its place the following: 'a community restitution center'

Further amend the bill in section 4, in that part designated "§3951." in subsection 3 in the first and 2nd lines (page 1, lines 48 and 49 in L.D.) by striking out the following: "Director of the Southern Maine Community Restitution Center" and inserting in its place the following: 'director of a community restitution center'

2 Further amend the bill in section 4 by striking out all of  
that part designated "§3952." and inserting in its place the  
following:

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'§3952. Establishment

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8 The department may establish community restitution centers  
for the residence and rehabilitation of persons who have been  
10 sentenced to a center as a condition of probation under Title  
17-A, section 1204, or committed to the department under Title  
12 17-A, provided that not more than 10% of the residents of any  
center have been committed to the department. Each center shall  
14 provide structured residential supervision for low-risk offenders  
who otherwise would have been committed to a period of  
16 incarceration in an institution. Residents shall make  
restitution to the victims of their crimes and shall contribute  
18 to the cost of their own incarceration as well as to the support  
of their dependents.'

20 Further amend the bill in section 4, in that part designated  
22 "§3953." in subsection 1, in the first line (page 2, line 15 in  
L.D.) by striking out the following: "The" and inserting in its  
24 place the following: 'A' and in the 3rd line (page 2, line 17 in  
L.D.) by striking out the following: "the center" and inserting  
in its place the following: 'each center'

26

28 Further amend the bill in section 4, in that part designated  
"§3953." in subsection 2, in the first line (page 2, line 21 in  
L.D.) by striking out the following: "The" and inserting in its  
30 place the following: 'Each'

32 Further amend the bill in section 4, in that part designated  
"§3953." in subsection 3, in the 2nd line (page 2, line 46 in  
34 L.D.) by striking out the following: "the" and inserting in its  
place the following: 'each'

36

38 Further amend the bill in section 4, in that part designated  
"§3953." in subsection 4, in the first line (page 2, line 48 in  
L.D.) by striking out the following: "The" and inserting in its  
40 place the following: 'Each'

42 Further amend the bill in section 4, in that part designated  
"§3954." in subsection 1, in the first line (page 3, line 21 in  
44 L.D.) by striking out the following: "Appointment of director."  
and inserting in its place the following: 'Appointment of  
46 director at each center.'

48 Further amend the bill in section 4, in that part designated  
"§3954." in subsection 2, in the 2nd line (page 3, line 26 in  
50 L.D.) by striking out the following: "the director" and inserting  
in its place the following: 'each director'

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COMMITTEE AMENDMENT "A" to H.P. 1640, L.D. 2273

2 Further amend the bill in section 4, in that part designated  
3 "§3954." in subsection 3, in the first line (page 3, line 40 in  
4 L.D.) by striking out the following: "The" and inserting in its  
5 place the following: 'Each'

6 Further amend the bill in section 4, in that part designated  
7 "§3955." in subsection 1, in the first and 2nd lines (page 3,  
8 lines 48 and 49 in L.D.) by striking out the following: "the  
9 center" and inserting in its place the following: 'each center'  
10 and in the 2nd and 3rd lines (page 3, lines 49 and 50 in L.D.) by  
11 striking out the following: "nonviolent and minimum security" and  
12 inserting in its place the following: 'low'

13 Further amend the bill in section 4, in that part designated  
14 "§3955." in subsection 2, in the first line (page 4, line 4 in  
15 L.D.) by striking out the following: "the center" and inserting  
16 in its place the following: 'a center'

17 Further amend the bill in section 4, in that part designated  
18 "§3955." in subsection 6, in the first line (page 4, line 32 in  
19 L.D.) by striking out the following: "the center" and inserting  
20 in its place the following: 'a center'

21 Further amend the bill in section 4, in that part designated  
22 "§3955." in subsection 7, in the first line (page 5, line 1 in  
23 L.D.) by striking out the following: "the center" and inserting  
24 in its place the following: 'a center' and in the 3rd line (page  
25 5, line 3 in L.D.) by striking out the following: "the center"  
26 and inserting in its place the following: 'a center'

27 Further amend the bill in section 4, in that part designated  
28 "§3956." in the first line (page 5, line 8 in L.D.) by striking  
29 out the following: "the center" and inserting in its place the  
30 following: 'each center'

31 Further amend the bill by inserting before the statement of  
32 fact the following:

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40 **FISCAL NOTE**

41 If enacted, this legislation will result in costs to the  
42 State to develop community restitution centers, to provide staff  
43 resources and operational expenses, as well as expenses of the  
44 Community Liaison Advisory Board. It is anticipated that a  
45 General Fund appropriation will be required beginning in fiscal  
46 year 1991-92, in an amount that is not known at this time and  
47 will be dependent upon when a restitution center is established.  
48 The General Fund appropriation that will be required to carry out  
49 the provision of this legislation is estimated to be  
50 approximately \$800,000 annually for one center. This amount does  
51 not include construction or land acquisition costs.'

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**STATEMENT OF FACT**

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6 The amendment gives the Department of Corrections the  
authority to develop restitution centers in more than one  
location in the State.

8

10 The amendment allows up to 10% of center residents to be  
people who are committed to the Department of Corrections under  
the Maine Revised Statutes, Title 17-A, with the intent that they  
12 be housed there for a short time near the end of their sentences  
if the centers are not filled by persons required to reside there  
14 as a condition of probation. It also clarifies that only those  
offenders classified as "low risk" are eligible for admission at  
16 the centers. It also clarifies that the centers are intended to  
divert people who otherwise would have gone to a prison or jail  
18 for lack of any other intermediate sanction.

20

The amendment adds a fiscal note to the bill.

Reported by the Joint Select Committee on Corrections  
Reproduced and distributed under the direction of the Clerk of the  
House  
3/26/90 (Filing No. H-1002)