

MAINE STATE LEGISLATURE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 854, L.D. 1220, Bill, "An Act to Broaden the Crimes of Criminal Mischief and Aggravated Criminal Mischief"

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

'An Act to Broaden the Crime of Criminal Mischief'

Further amend the bill by striking out all of section 1.

Further amend the bill in section 2 in the first line (page 1, line 28 in L.D.) by striking out the following: "Sec.2."

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

'FISCAL NOTE

This bill broadens the mental state element of criminal mischief by adding the word "recklessly." The additional work load and administrative costs associated with a minimal number of additional cases will be absorbed within the budgeted resources of the Judicial Department.

The appointment of court-appointed counsel for indigent defendants who are charged with these crimes will result in costs to the Judicial Department. A General Fund appropriation to the Judicial Department may be necessary for the indigent defense program once the cumulative effect of all legislation for which court-appointed counsel for indigent defendants must be provided is known.

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COMMITTEE AMENDMENT "A" to H.P. 854, L.D. 1220

2 The Governor's proposed adjusted current services budget
affects the indigent defense program by discontinuing appointment
of counsel for certain crimes.'

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STATEMENT OF FACT

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This amendment deletes section 1 of the bill regarding
aggravated criminal mischief. It retains the amendment to the
criminal mischief statute. Criminal mischief is a Class D crime
and a lower standard of mental culpability is appropriate.

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Reported by the Committee on Judiciary
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(5/9/91) (Filing No. H-288)