

MAINE STATE LEGISLATURE

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R & S

L.D. 14

DATE: 4/27/95

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MAJORITY
CRIMINAL JUSTICE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 20, L.D. 14, Bill, "An Act to Authorize Community Service Work as a Sentencing Alternative"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 17-A MRSA §1152, sub-§2, ¶G, as amended by PL 1993, c. 103, §1, is further amended to read:

G. A fine as authorized by chapter 53. Such a fine may be imposed in addition to the sentencing alternatives in paragraphs B, D, E and F; or

Sec. 2. 17-A MRSA §1152, sub-§2, ¶H, as enacted by PL 1989, c. 502, Pt. D, §12, is amended to read:

H. A county jail reimbursement fee as authorized by chapter 54-B; or

Sec. 3. 17-A MRSA §1152, sub-§2, ¶I is enacted to read:

I. A specified number of hours of community service work as authorized by chapter 54-C.

Sec. 4. 17-A MRSA c. 54-C is enacted to read:

CHAPTER 54-C

COMMUNITY SERVICE WORK

COMMITTEE AMENDMENT

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2 §1345. Community service work

4 1. An offender convicted of a Class D or Class E crime may
6 be sentenced to perform a specified number of hours of community
8 service work for the benefit of the State, a county, a
10 municipality, a school administrative district or other public
12 entity, a charitable institution or other entity approved by the
14 court.

16 2. An offender who has been sentenced to perform community
18 service work and fails to complete the work within the time
20 specified by the court must be returned to the court for further
22 disposition.

24 3. The Division of Probation and Parole is not responsible
26 for supervision of community service work pursuant to this
28 section.'

30 Further amend the bill by inserting at the end before the
32 statement of fact the following:

34 **FISCAL NOTE**

36 If this sentencing option is used to replace or reduce
38 fines, General Fund revenue will be reduced. If this option
40 replaces or reduces jail sentences, the county jail system will
42 realize savings. The effect on General Fund revenue and the
44 savings realized by the counties is expected to be insignificant.

46 The additional workload and administrative costs associated
48 with the minimal number of new cases filed in the court system
can be absorbed within the budgeted resources of the Judicial
Department.'

36 **STATEMENT OF FACT**

38 This amendment is the majority report of the Joint Standing
40 Committee on Criminal Justice.

42 This amendment makes new language consistent with current
44 law and enacts a community service work chapter in the Maine
46 Revised Statutes, Title 17-A. The amendment also clarifies that
48 an offender who is sentenced to perform community service work
for a Class D or Class E crime and defaults must return to court
for further disposition. The Department of Corrections, Division
of Probation and Parole is not responsible for supervision of
community service work imposed pursuant to this new chapter. It

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COMMITTEE AMENDMENT "A" to H.P. 20, L.D. 14

2 is not the intent of this amendment to limit the authority of the
court to impose community service work as a condition of parole.

4 The amendment also adds a fiscal note to the bill.