

# MAINE STATE LEGISLATURE

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DATE: 4/27/95

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MINORITY  
CRIMINAL JUSTICE

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

COMMITTEE AMENDMENT "A" to H.P. 316, L.D. 437, Bill, "An Act to Protect Minors from Child Molestation"

Amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

This bill expands certain Class A, B, C, and D crimes, potentially increasing costs to the State's correctional institutions and county jail system.

Sentences of more than 12 months imposed for Class A crimes must be served in a state correctional institution. The cost to the State per sentence is \$169,852 based upon an average length of stay of 6 years and 1 month. The State also must reimburse counties for sentences served in county jails of 12 months or less for Class A crimes.

Sentences of more than 12 months imposed for Class B crimes must be served in a state correctional institution. The cost to the State per sentence is \$81,101 based upon an average length of stay of 2 years and 11 months. The State also must reimburse counties for sentences served in county jails of 12 months or less for Class B crimes.

Sentences of more than 12 months imposed for Class C crimes must be served in a state correctional institution. The cost to

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 316, L.D. 437

2 the State per sentence is \$48,584 based upon an average length of  
3 stay of 1 year and 9 months. The State also must reimburse  
4 counties for sentences served in county jails of 12 months or  
5 less for Class C crimes.

6 If a jail sentence is imposed for a Class D crime, the  
7 additional costs to the counties are estimated to be \$83.22 per  
8 day for each offender. These costs are not reimbursed by the  
9 State. The number of prosecutions that may result in a jail  
10 sentence and the resulting costs to the county jail system are  
11 expected to be insignificant.

12 The Judicial Department may require additional General Fund  
13 appropriations to cover indigent defense costs related to these  
14 new cases. The amounts can not be estimated at this time. The  
15 additional workload and administrative costs associated with the  
16 minimal number of new cases filed in the court system can be  
17 absorbed within the budgeted resources of the Judicial  
18 Department. The collection of additional fines may also increase  
19 General Fund revenue by minor amounts.'

## 22 STATEMENT OF FACT

23 This amendment adds a fiscal note to the bill and is a  
24 minority report.

25 The Department of Corrections has prepared the following  
26 correctional impact statement for the original bill pursuant to  
27 the Maine Revised Statutes, Title 34-A, section 1402: L.D. 437,  
28 An Act to Protect Minors from Child Molestation would expand the  
29 use of Class A, B, C and D offenses in cases of child molestation.

30 Sentences imposed for Class D offenses must be served in a  
31 county jail facility. Looking at sentences served for Class D  
32 offenses, the average length of stay was found to be about 119  
33 days. The average cost per day in a county jail is \$83.22. The  
34 projected average cost per sentence for a Class D offense is  
35 \$9,903.

36 Sentences imposed for Class C offenses of more than twelve  
37 months must be served in a state correctional facility. Looking  
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2 at sentences served for Class C offenses, the average length of  
stay was found to be about 1 year and 9 months. The projected  
4 average cost per sentence for a Class C offense is \$48,584. The  
state also pays a portion of the cost of sentences served in  
6 county jails for 12 months or less in this class.

8 Sentences imposed for Class B offenses of more than twelve  
months must be served in a state correctional facility. Looking  
10 at sentences served for Class B offenses, the average length of  
stay was found to be about 2 years and 11 months. The projected  
12 average cost per sentence for a Class B offense is \$81,101. The  
state also pays a portion of the cost of sentences served in  
14 county jails for 12 months or less in this class.

16 Sentences imposed for Class A offenses of more than twelve  
months must be served in a state correctional facility. Looking  
18 at sentences served for Class A offenses, the average length of  
stay was found to be about 6 years and 1 month. The projected  
20 average cost per sentence for a Class A offense is \$169,852. The  
state also pays a portion of the cost of sentences served in  
county jails for 12 months or less in this class.