

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

M  
R 88

L.D. 799

2  
4  
DATE: 6/7/95

(Filing No. H- 393)

6  
8  
Reproduced and distributed under the direction of the Clerk of  
the House.

10  
12  
14  
**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
FIRST REGULAR SESSION**

16  
18  
HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 589,  
L.D. 799, Bill, "An Act to Amend the Laws Governing HIV Testing  
at the Request of Victims of Sexual Assault"

20  
22  
Amend the amendment in section 1 in paragraph B in the 2nd  
line (page 1, line 31 in amendment) by inserting after the  
following: "person" the following: 'charged with or'

24  
26  
28  
30  
Further amend the amendment in section 2 in subsection 5 in  
the 7th line (page 1, line 46 in amendment) by inserting after  
the following: "appear in" the following: 'an alleged or' and in  
the 9th line (page 2, line 1 in amendment) by inserting after the  
following: "the" the following: 'alleged or' and in the last line  
(page 2, line 3 in amendment) by inserting after the following:  
"that the" the following: 'alleged or'

32  
34  
Further amend the amendment in section 4 in that part  
designated "§19203-F." in the headnote (page 2, line 10 in  
amendment) by inserting after the following: "after" the  
following: 'charge or'

36  
38  
Further amend the amendment in section 4 in that part  
designated "§19203-F." in subsection 1 by inserting after  
paragraph A the following:

40  
42  
'B. "Defendant" means a person who has been charged with a  
sexual crime.'

44  
46  
Further amend the amendment in section 4 in that part  
designated "§19203-F." in subsection 1 by relettering the  
paragraphs to read consecutively.

Further amend the amendment in section 4 in that part designated "~~§19203-F.~~" in subsection 2 in the first line (page 2, line 31 in amendment) by inserting after the following: "who is" the following: 'alleged to be the victim or is'

Further amend the amendment in section 4 in that part designated "~~§19203-F.~~" in subsection 2 in the 4th line (page 2, line 34 in amendment) by striking out all of the following: "prior to sentencing" and inserting in its place the following: 'after the charge is brought'

Further amend the amendment in section 4 in that part designated "~~§19203-F.~~" in subsection 2 in the 5th line (page 2, line 35 in amendment) by inserting after the following: "order the" the following: 'defendant or' and in the 6th line (page 2, line 36 in amendment) by inserting after the following: "that the" the following: 'defendant or'

Further amend the amendment in section 4 in that part designated "~~§19203-F.~~" in subsection 3 in the 2nd line (page 2, line 40 in amendment) by inserting after the following: "that the" the following: 'defendant or'

Further amend the amendment in section 4 in that part designated "~~§19203-F.~~" in subsection 3 in the 4th line (page 2, line 42 in amendment) by inserting after the following: "that the" the following: 'defendant or'

Further amend the amendment in section 4 in that part designated "~~§19203-F.~~" in subsection 4 in the 2nd line (page 2, line 46 in amendment) by inserting after the following: "which a" the following: 'defendant or'

Further amend the amendment in section 4 in that part designated "~~§19203-F.~~" in subsection 4 in the 7th line (page 3, line 2 in amendment) by inserting after the following: "of the" the following: 'defendant or' and in the last line (page 3, line 6 in amendment) by inserting after the following: "to the" the following: 'defendant or'

Further amend the amendment by inserting at the end before the statement of fact the following:

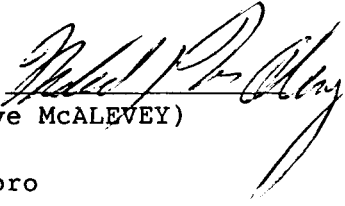
#### FISCAL NOTE

The Judicial Department will require additional General Fund appropriations to fund the costs associated with paying for the tests of indigent persons charged with a sex crime. The amount can not be determined at this time.'

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 589, L.D.  
799

**STATEMENT OF FACT**

This amendment authorizes HIV testing of alleged offenders  
charged with sexual assault and adds a fiscal note.

SPONSORED BY:   
(Representative McALEVEY)

TOWN: Waterboro