

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 956

H.P. 698

House of Representatives, March 23, 1995

An Act Concerning the Protection of Privacy Data Regarding Sex Offenders.

Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LEMKE of Westbrook.
Cosponsored by Representatives: AHEARNE of Madawaska, BAILEY of Township 27, BOUFFARD of Lewiston, CAMPBELL of Holden, CHIZMAR of Lisbon, CLARK of Millinocket, CLUKEY of Houlton, GERRY of Auburn, GREENLAW of Standish, JOY of Crystal, KERR of Old Orchard Beach, LANE of Enfield, LAYTON of Cherryfield, LEMONT of Kittery, LOOK of Jonesboro, MADORE of Augusta, O'NEAL of Limestone, POULIN of Oakland, POULIOT of Lewiston, REED of Dexter, SAVAGE of Union, THOMPSON of Naples, TRUE of Fryeburg, UNDERWOOD of Oxford, VIGUE of Winslow, WHEELER of Bridgewater, Senator: SMALL of Sagadahoc.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 34-A MRSA §11001**, as enacted by PL 1991, c. 809, §1,
is amended to read:

6 **§11001. Short title and purpose**

8 This chapter may be known and cited as the "Sex Offender
10 Registration Act." The purpose of this chapter is to protect the
public safety by enhancing access to information regarding sex
12 offenders.

14 **Sec. 2. 34-A MRSA §11003, sub-§1**, as amended by PL 1993, c.
193, §2, is further amended to read:

16 **1. Duty to register.** -A- At least 15 days before discharge
or discharge under supervision from a state correctional facility
18 or county jail, a sex offender shall register that person's
current intended address after discharge with the Department of
20 Public Safety, State Bureau of Identification within 15 calendar
days after discharge or discharge under supervision from a state
22 correctional facility or county jail or, if no period of
institutional confinement is to be served, within 15 calendar
24 days of sentencing.

26 This registration requirement remains in effect for 15 years from
the date of:

28 A. Sentencing if no period of institutional confinement is
30 to be served; or

32 B. Discharge or discharge under supervision from any state
34 correctional facility or county jail.

36 **Sec. 3. 34-A MRSA §11003, sub-§3**, as enacted by PL 1991, c.
809, §1, is amended to read:

38 **3. Change of address.** If a sex offender required to
register under this chapter changes address, that person shall
40 register the new address with the State Bureau of Identification
within 5 days of at least 15 days before moving to the new
42 address.

44 **Sec. 4. 34-A MRSA §11003, sub-§§3-A and 3-B** are enacted to
read:

46 **3-A. When address unknown.** If a sex offender required to
48 register under this section does not have an intended address in
time to comply with the notification requirements in subsections
50 1 and 3, the sex offender shall provide, at the time of

2 registration, the State Bureau of Identification with the
3 intended municipality of residence and shall provide an address
4 as soon as it becomes known.

6 3-B. Local notification. The State Bureau of
7 Identification shall notify the law enforcement agency of a
8 municipality when a sex offender registers an address in that
9 municipality. If the sex offender has been convicted more than
10 once of gross sexual assault upon a victim who had not attained
11 the age of 16 years at the time of the gross sexual assault, the
12 law enforcement agency for the municipality shall provide
13 notification of the registration to persons residing in the
14 community where the sex offender will reside. Notification may
15 be by mail, distribution of written notice, posting of a notice
16 in places where it is likely to be seen or other similar notice.
17 The law enforcement agency may require the sex offender to pay
18 for the reasonable costs of notification.

20 STATEMENT OF FACT

22 This bill requires the State Bureau of Identification to
23 notify the law enforcement agency of a municipality when a sex
24 offender registers an address in that municipality. If the sex
25 offender has been convicted more than once of gross sexual
26 assault upon a victim who had not attained the age of 16 years at
27 the time of the gross sexual assault, the law enforcement agency
28 for the municipality shall provide notification of the
29 registration to persons residing in the community where the sex
30 offender will reside.