

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1506

H.P. 1071

House of Representatives, May 9, 1995

**An Act Regarding the Registration and Publication of Residences of
Released Persons Convicted of Sexual Abuse of a Minor.**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative RICHARDSON of Portland.
Cosponsored by Representative: FITZPATRICK of Durham, Senators: AMERO of
Cumberland, FAIRCLOTH of Penobscot.

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

2
4 **Sec. 1. 34-A MRSA §11002, sub-§2**, as enacted by PL 1991, c.
809, §1, is amended to read:

6 **2. Sex offender.** "Sex offender" means an individual
8 convicted of gross sexual assault if the victim had not attained
the age of 16 years at the time of the crime or sexual abuse of a
10 minor.

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

14 **1. Duty to register.** A At least 15 days before discharge
16 or discharge under supervision from a state correctional facility
18 or county jail, a sex offender shall register that person's
20 current intended address with the Department of Public Safety,
22 State Bureau of Identification within 15 calendar days after
24 discharge or discharge under supervision from a state
26 correctional facility or county jail after discharge or, if no
period of institutional confinement is to be served, within 15
calendar days of sentencing. If the sex offender is on
probation, the person shall register with the Division of
Probation and Parole; if not on probation, then the sex offender
shall register with the Department of Public Safety, State Bureau
of Identification.

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

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

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

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

40 **3. Change of address.** If a sex offender required to
42 register under this chapter changes address, that person shall
44 register the new address with the State Bureau of Identification
46 within 5 days of at least 15 days before moving to the new
48 address. If the sex offender is on probation, the person shall
register with the Division of Probation and Parole; if not on
probation, then the sex offender shall register with the
Department of Public Safety, State Bureau of Identification.

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

2 3-A. When address unknown. If a sex offender required to
3 register under this section does not have an intended address in
4 time to comply with the notification requirements in subsections
5 1 and 3, the sex offender shall, at the time of registration,
6 indicate the intended municipality of residence and shall provide
7 an address as soon as it becomes known.
8

9 3-B. Local notification. The Division of Probation and
10 Parole or, if the offender is not on probation, the Department of
11 Public Safety, State Bureau of Identification shall notify the
12 law enforcement agency of a municipality when a sex offender
13 registers an address in that municipality. Notification must be
14 made within 15 days of receipt of the information from the
15 offender.
16

Sec. 5. Report; dissemination of information to public. The
17 Commissioner of Public Safety shall, by rule, set guidelines to
18 address the process by which and to whom local law enforcement
19 agencies may disseminate the information reported to them under
20 the Maine Revised Statutes, Title 34-A, section 11003, subsection
21 3-B. Persons to whom the local law enforcement agencies may
22 disseminate the information include educators and other adults
23 who work with or come in contact with minors in the municipality
24 in which the sex offender resides or plans to reside. The
25 Commissioner of Public Safety shall report the findings and
26 necessary implementing legislation to the joint standing
27 committee of the Legislature having jurisdiction over criminal
28 justice matters no later than January 1, 1996.
29

30 STATEMENT OF FACT

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33
34 This bill amends current sex offender registration law by
35 adding to the definition of "sex offender" a person convicted of
36 sexual abuse of a minor. Offenders on probation are required to
37 report their addresses and any changes to the Department of
38 Corrections, Division of Probation and Parole, instead of to the
39 Department of Public Safety, State Bureau of Identification, as
40 is currently required.

41
42 This bill also requires the Division of Probation and Parole
43 and the Department of Public Safety, State Bureau of
44 Identification to report all registration information to the law
45 enforcement agency for the locality in which the sex offender
46 resides or plans to reside.

47
48 By January 1, 1996, the Commissioner of Public Safety must
49 develop regulations for the dissemination of information
50 regarding sex offenders by local law enforcement agencies.