

# MAINE STATE LEGISLATURE

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M  
R.S.

L.D. 169

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DATE: May 15, 1997

(Filing No. S- 228 )

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**CRIMINAL JUSTICE**

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Reported by: Senator Murray

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**STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
FIRST SPECIAL SESSION**

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COMMITTEE AMENDMENT "A" to S.P. 59, L.D. 169, Bill, "An Act Concerning Theft of Rental Property"

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Amend the bill in section 1 in paragraph C in the 4th and 5th lines (page 1, lines 9 and 10 in L.D.) by striking out the following: "provides false identification or information to the owner at the time of the rental or"

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Further amend the bill in section 1 in paragraph C in the 4th line from the end (page 1, line 17 in L.D.) by striking out the following: "10" and inserting in its place the following: '5'

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Further amend the bill by striking out all of section 2.

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Further amend the bill by inserting at the end before the summary the following:

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**FISCAL NOTE**

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This bill may increase prosecutions for Class D crimes. If a jail sentence is imposed, the additional costs to the counties are estimated to be \$83.78 per day per prisoner. These costs are not reimbursed by the State. The number of prosecutions that may result in a jail sentence and the resulting costs to the county jail system are expected to be insignificant.

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The additional workload, administrative costs and indigent defense costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of

**COMMITTEE AMENDMENT**

additional fines may also increase General Fund revenue by minor amounts.'

**SUMMARY**

This amendment specifies that theft of rental property may be presumed when a person fails to return the property within 5 days of receiving a written demand, mailed after the expiration of the rental period. The amendment removes from the bill language regarding theft of rental property that specified that a person knowingly provide false identification or information to the owner at the time of the rental. The amendment removes the affirmative defense to theft of rental property and adds a fiscal note to the bill.