

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)

DATE: April 24, 2001

(Filing No. S-75)

CRIMINAL JUSTICE

Reported by:

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 71, L.D. 277, Bill, "An Act to Amend the Standards Regarding the Endangerment of the Welfare of a Dependent Person"

Amend the bill in section 1 in subsection 1 in the 2nd line (page 1, line 7 in L.D.) by striking out the following: "~~knowingly~~" and inserting in its place the following: 'intentionally, knowingly or'

Further amend the bill in section 1 in subsection 2 by striking out all of the last underlined sentence and inserting in its place the following: 'For purposes of this section, a legal duty may be inferred if the defendant has assumed responsibility for the care of the dependent person.'

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

FISCAL NOTE

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 \$83.36 per day per prisoner. 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.

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

COMMITTEE AMENDMENT

2

SUMMARY

4

6 This amendment specifies that the culpable state of mind
8 required for a person to endanger the welfare of a dependent
10 person may be "intentionally," "knowingly" or "recklessly." The
12 amendment also clarifies that, for purposes of endangerment of a
dependent person, a legal duty may be inferred if the defendant
has assumed responsibility for the care of the dependent person.

12

The amendment also adds a fiscal note to the bill.