

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 601

DATE: February 21, 2002 (Filing No. S-434)

CRIMINAL JUSTICE

Reported by:

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STATE OF MAINE
SENATE
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 173, L.D. 601, Bill, "An Act to Provide for Relief from Mandatory Minimum Sentences in Certain Cases"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 17-A MRSA §1252, sub-§5-A, as amended by PL 1999, c. 374, §6 and PL 2001, c. 383, §151 and affected by §156, is repealed.'

Further amend the bill in section 2 in subsection 9 by inserting after paragraph D the following:

'This subsection does not apply to violations of Title 29-A. A court may not suspend or deviate from a mandatory minimum sentence or mandatory minimum fine for violations of Title 29-A.'

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

FISCAL NOTE

Granting judges discretion to deviate from mandatory minimum sentences may have the effect of reducing General Fund fine revenue if lower fines are imposed. It may also result in savings to the state correctional facilities if shorter sentences are imposed as a result of this authority. The amounts associated with the potential decline in revenue and the potential future savings to the Department of Corrections can not be estimated at this time.'

COMMITTEE AMENDMENT

R.O.S.

COMMITTEE AMENDMENT "A" to S.P. 173, L.D. 601

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SUMMARY

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This amendment is the minority report of the Joint Standing Committee on Criminal Justice. The amendment specifies that a court may not suspend or deviate from a mandatory minimum sentence or mandatory minimum fine for violations of the Maine Revised Statutes, Title 29-A. The amendment also adds a fiscal note to the bill.