

MAINE STATE LEGISLATURE

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MAJORITY
CRIMINAL JUSTICE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1165, L.D. 1565, Bill, "An Act to Expand the Collection of DNA Samples from Convicted Offenders"

Amend the bill by inserting after section 2 the following:

'Sec. 3. 25 MRSA §1574, sub-§3, as enacted by PL 1995, c. 457, §1, is repealed.'

Further amend the bill in section 4 in subsection 5 by striking out all of paragraphs F and G (page 2, line 49 and page 3, lines 1 to 4 in L.D.) and inserting in their place the following:

'F. Sexual contact with a child under 14 years of age;

G. Solicitation of a child by a computer to commit a prohibited act; or

H. Any lesser included offense of any crime identified in paragraphs A to G if the greater offense is initially charged. "Lesser included offense" has the same meaning as in Title 17-A, section 13-A.'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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

FISCAL NOTE

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The State Police program within the Department of Public Safety will incur some minor additional costs to expand the collecting of certain DNA samples. These costs can be absorbed within the program's existing budgeted resources.

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The additional costs associated with DNA testing can be absorbed by the Judicial Department and the Department of Corrections utilizing existing budgeted resources.'

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SUMMARY

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This amendment adds to the list of offenses that require DNA sample collection from a convicted offender for inclusion in the DNA database at the Maine State Police Crime Laboratory solicitation of a child by a computer to commit a prohibited act beginning October 1, 2001.

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The amendment also repeals the provision that subjects a juvenile adjudicated of committing a juvenile crime that, if committed by an adult, would constitute an offense listed in the DNA Data Base and Data Bank Act from the testing requirements of that Act.

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The amendment is the majority report of the Joint Standing Committee on Criminal Justice and adds a fiscal note to the bill.

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