

# MAINE STATE LEGISLATURE

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ms.  
R03.

L.D. 326

DATE: 5/17/05

(Filing No. H-384)

CRIMINAL JUSTICE AND PUBLIC SAFETY

Minority

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
122ND LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 249, L.D. 326, Bill, "An Act To Impose Mandatory Minimum Sentences for Certain Sexual Offenses"

Amend the bill by inserting after section 1 the following:

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District & Administrative 0063

Initiative: Provides funds for additional hours for judges, clerks and court-appointed attorneys to handle approximately 350 additional cases resulting from this legislation.

GENERAL FUND	2005-06	2006-07
Personal Services	\$126,980	\$135,240
All Other	\$44,900	\$44,900
GENERAL FUND TOTAL	\$171,880	\$180,140'

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 249, L.D. 326

**SUMMARY**

This amendment is the minority report of the Joint Standing Committee on Criminal Justice and Public Safety. It adds an appropriations and allocations section to the bill.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



Approved: 05/05/05 *MAC*

# 122nd MAINE LEGISLATURE

LD 326

LR 1564(02)

## An Act to Impose Mandatory Minimum Sentences for Certain Sexual Offenses

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

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### Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
<b>Net Cost (Savings)</b>				
General Fund	\$171,880	\$180,140	\$184,644	\$189,260
<b>ppropriations/Allocations</b>				
General Fund	\$171,880	\$180,140	\$184,644	\$189,260

### Correctional and Judicial Impact Statements

Imposes mandatory minimum sentences for certain sexual offenses; increases correctional costs.

### Fiscal Detail and Notes

Prohibiting the minimum term of imprisonment from being suspended or reduced through plea bargaining will require a General Fund appropriation to the Judicial Department of \$171,880 in fiscal year 2005-06 and \$180,140 in fiscal year 2006-07 for additional hours for judges, clerks and court appointed attorneys to handle approximately 350 additional cases resulting from this bill.

This legislation also increases correctional costs by adding significant time served for sentences of gross sexual assault and sexual abuse of a minor. Currently, the average length of sentence for gross sexual assault of a minor on a Class A offense is 7 years, 1 month. This bill would add 2 years, 11 months to the sentence. For those currently serving time for a Class B offense the average stay is 2 years, 6 months, thus increasing them by 7 years 6 months. Class C offenders for gross sexual assault serve an average of 2 years, requiring an additional 8 years. A sentence for sexual abuse of a minor is a Class C crime with an average stay of two years, 4 months, requiring an additional 7 years 8 months to be served.