

MAINE STATE LEGISLATURE

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L.D. 970

DATE:

5/23/5

(Filing No. H- 474)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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

COMMITTEE AMENDMENT "A" to H.P. 680, L.D. 970, Bill, "An Act To Improve Sentencing for Serious Offenders"

Amend the bill by striking out all of section 1 (page 1, lines 3 to 11 in L.D.)

Further amend the bill by striking out all of section 3 (page 1, lines 34 to 49 and page 2, lines 1 to 6 in L.D.)

Further amend the bill in section 5 by striking out all of paragraph A-1 (page 2, lines 24 to 36 in L.D.) and inserting in its place the following:

'A-1. "Critical investigation expense" means a necessary expense incurred by a government or by a victim while investigating or prosecuting suspected criminal conduct. "Critical investigation expense" is limited to the cost of an audit or other financial analysis when that analysis is necessary to determine whether and to what extent a victim has suffered financial harm from criminal conduct by an employee or other person in a position of trust and the cost of analysis of suspected illegal drugs.'

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

SUMMARY

This amendment strikes from the bill the provision authorizing the court to revoke probation of a person serving a consecutive sentence who commits new criminal conduct during any

COMMITTEE AMENDMENT "A" to H.P. 680, L.D. 970

2 period of incarceration that precedes the commencement of the
period of probation.

4 The amendment also strikes from the bill the provision that
6 specifies that an inmate who commits any crime while sentenced
may have that sentence interrupted and serve the sentence for the
8 new crime immediately. This provision is incorporated into the
committee amendment to another bill, L.D. 1360, "An Act To
10 Improve the Management and Safety of State Correctional
Facilities."

12 The amendment also clarifies what is meant by "critical
investigation expense" and limits the collection of these
14 expenses to cases involving embezzlement and drug investigations.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



122nd MAINE LEGISLATURE

LD 970

LR 1728(02)

An Act To Improve Sentencing for Serious Offenders

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

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Undetermined current biennium cost increase - General Fund

Correctional and Judicial Impact Statements:

This legislation will create additional days in state correctional institutions or county jails when a sentencing class is enhanced. It is currently unknown how many offenders would be impacted or how many additional beds would be required as a result of this bill.