

MAINE STATE LEGISLATURE

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R 018

L.D. 983

DATE: 5/10/15

(Filing No. H-323)

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. 693, L.D. 983, Bill, "An Act To Make Technical Changes to the Maine Criminal Code"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 17-A MRSA §506-B, sub-§3, as amended by PL 1995, c. 694, Pt. D. §25 and affected by Pt. E, §2, is further amended to read:

3. Violation of a protection from abuse order issued under Title 19-A, section 4006 or 4007, subsection 1, paragraphs A to G, is a Class D crime as provided in Title 19-A, section 4011, subsection 1 or a Class C crime as provided in Title 19-A, section 4011, subsection 4.

Further amend the bill by inserting after section 2 and before the summary the following:

'Sec. 3. 17-A MRSA §1253, sub-§12, as enacted by PL 2003, c. 711, Pt. A, §18, is amended to read:

12. Subsections 9 and 10 supersede subsections 3, 3-B, 4, 5, 6 and 8 for a person who commits a crime other than murder and for a person who commits a crime other than under chapter 11 or 12; under section 556; under section 854, excluding subsection 1, paragraph A, subparagraph (1); or against a family or household member under chapter 9 or 13, section 506-B, 554, 555 or 758, on or after August 1, 2004.'

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COMMITTEE AMENDMENT "A" to H.P. 693, L.D. 983

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

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SUMMARY

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This amendment corrects an oversight by adding "reckless
conduct; assault" under the Maine Revised Statutes, Title 19-A,
10 section 4011, subsection 4 to the provisions regarding the
violation of a protective order under Title 17-A, section 506-B,
12 which pertains to a person who is subject to a protective order
issued under Title 19-A and violates that order. The Class C
14 violation under Title 19-A, section 4011, subsection 4 was
enacted in Public Law 2001, chapter 420, and the crime was never
16 added to Title 17-A, section 506-B, which lists each type of
protective order.

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This amendment also clarifies the application of the
20 increased good time authorized pursuant to Public Law 2003,
chapter 711 by indicating that the new increases in good time
22 apply only to crimes other than sex offenses and domestic
violence offenses. For these crimes, as well as for murder, the
24 prior good time provisions apply.