

MAINE STATE LEGISLATURE

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Date: 1-9-08

(Filing No. S-397)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

SENATE

123RD LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 95, L.D. 280, Bill, "An Act To Make a Conviction for a 6th Operating under the Influence Charge a Class B Crime"

Amend the bill in section 1 in subsection 1-A in paragraph B in subparagraph (4) (page 1, line 12 in L.D.) by inserting after the following: "offenses" the following: 'within a 15-year period'

Amend the bill in section 1 in subsection 1-A in paragraph C in subparagraph (5) (page 1, line 19 in L.D.) by inserting after the following: "offenses" the following: 'within a 15-year period'

SUMMARY

This amendment specifies that the new Class B crime of operating a motor vehicle while under the influence 6 or more times is limited by a 15-year lookback period, which is 5 years more than the current lookback period for operating under the influence offenses but less than the lifetime lookback proposed in the bill.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 280

LR 1311(04)

An Act To Make a Conviction for a 6th Operating under the Influence Charge a Class B Crime

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

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Net Cost (Savings)				
General Fund	\$0	\$0	\$0	\$18,920
Appropriations/Allocations				
General Fund	\$0	\$0	\$0	\$18,920

Correctional and Judicial Impact Statements

Increases the class of crime for OUI to a Class B crime for person with 5 previous convictions. See cost detail below.

Fiscal Detail and Notes

Correctional Cost Detail	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OUI to Class B Crime	\$18,920	\$56,865	\$56,865	\$56,865	\$56,865
Total Cost - All Convictions	\$18,920	\$56,865	\$56,865	\$56,865	\$56,865

The Department of Corrections will require a General Fund appropriation of \$18,920 in fiscal year 2010-11 and \$56,865 in fiscal year 2011-12 and annually thereafter to provide funds for the incremental costs associated with one projected conviction per year beginning in fiscal year 2008-09.

The additional cost to the Judicial Department resulting from this legislation can be absorbed by the department utilizing existing budgeted resources.