

MAINE STATE LEGISLATURE

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A. of S.

Date: 1/14/08

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "B" to H.P. 882, L.D. 1240, Bill, "An Act To Implement the Recommendations of the Criminal Law Advisory Commission"

Amend the bill by striking out all of section 3 and inserting the following:

'Sec. 3. 15 MRSA §103-A is enacted to read:

§103-A. Commitment affected by certain sentences

1. Interruption of commitment. When a person while in the custody of the Commissioner of Health and Human Services pursuant to a commitment order under section 103 is found by a court to be in violation of the person's conditional release for a Maine conviction and new institutional confinement is ordered, or a person commits a Maine crime for which the person is subsequently convicted and the sentence imposed includes a straight term of imprisonment or a split sentence, the person must be placed in execution of that punishment, and custody pursuant to the commitment order under section 103 must automatically be interrupted thereby. In the event execution of that punishment is stayed pending appeal, the commitment under section 103 continues for the stay's duration. The person must be returned to the custody of the Commissioner of Health and Human Services pursuant to the commitment order under section 103 when the new institutional confinement ordered or the straight term of imprisonment or the unsuspended portion of the split sentence imposed has been fully served.'

Amend the bill by inserting after section 4 the following:

'Sec. 5. 15 MRSA §2115, last ¶, as repealed and replaced by PL 1965, c. 356, §63, is repealed.'

Amend the bill by striking out all of section 7.

Amend the bill by striking out all of sections 12 to 23.

Amend the bill by striking out all of section 26 and inserting the following:

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "B" to H.P. 882, L.D. 1240

R. of S.

- 1 The amendment also corrects a conflict created when Public Law 2007, chapter 340
- 2 and chapter 344 both affected the same provision of law. The amendment corrects that
- 3 conflict by incorporating the changes made by both.

COMMITTEE AMENDMENT