

# MAINE STATE LEGISLATURE

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Date: 6/4/7

(Filing No. H-421)

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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

COMMITTEE AMENDMENT "A" to H.P. 1219, L.D. 1736, Bill, "An Act To Amend the Laws Relating to Probation and Supervised Release for Sex Offenders"

Amend the bill by striking out the title and substituting the following:

**'An Act To Amend the Laws Relating to Probation and Supervised Release for Sex Offenders and To Make Necessary Changes to the Maine Criminal Code'**

Amend the bill in section 3 in subsection 10 in the 3rd line (page 1, line 30 in L.D.) by striking out the following: "serve" and inserting the following: 'served'

Amend the bill by striking out all of section 6 and inserting the following:

**'Sec. 6. 17-A MRSA §1349, sub-§1, ¶A,** as enacted by PL 2003, c. 711, Pt. A, §19, is repealed.

**Sec. 7. 17-A MRSA §1349-A, sub-§1,** as enacted by PL 2003, c. 711, Pt. A, §19, is amended to read:

**1.** A person who has been convicted of a Class D or Class E crime or the Class C crime under Title 29-A, former section 2557, section 2557-A or section 2558 may be placed on administrative release for a period not to exceed one year.

**Sec. 8. 17-A MRSA §1349-B, sub-§2,** as enacted by PL 2003, c. 711, Pt. A, §19, is amended to read:

**2.** The court may sentence a person to a fine, not to exceed the maximum fine authorized for the Class D or Class E crime or the Class C crime under Title 29-A, former section 2557, section 2557-A or section 2558, suspend the fine in whole or in part and accompany the suspension with a period of administrative release not to exceed the one year authorized under section 1349-A, subsection 1.'

**COMMITTEE AMENDMENT**

R.A.S.

COMMITTEE AMENDMENT "A" to H.P. 1219, L.D. 1736

- 1 Amend the bill in section 8 in paragraph A in the 7th line (page 2, line 38 in L.D.) by
- 2 striking out the following: "board or the Attorney General" and inserting the following:
- 3 'board, ~~or~~ the Attorney General or the district attorney'
- 4 Amend the bill by striking out all of section 9.
- 5 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
- 6 section number to read consecutively.

7 **SUMMARY**

8 Because current law authorizes sentencing alternatives of both a fine and  
9 imprisonment followed by administrative release, this amendment repeals unnecessary  
10 language in the Maine Revised Statutes, Title 17-A, section 1349. The amendment also  
11 amends Title 17-A, section 1349-A, subsection 1 and section 1349-B, subsection 2 to be  
12 consistent with regard to authorizing the use of administrative release for Class C  
13 operating after habitual offender revocation and aggravated operating after habitual  
14 offender revocation. The amendment adds district attorneys to the list of those who may  
15 show pharmacy records to law enforcement officers other than those listed. Finally, the  
16 amendment strikes from the bill the provision granting probation officers the power to  
17 arrest for obstruction of government administration while they are performing their  
18 official duties.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 123rd MAINE LEGISLATURE

LD 1736

LR 641(02)

**An Act To Amend the Laws Relating to Probation and Supervised Release for Sex Offenders**

**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

Potential savings to county jails

### **Correctional and Judicial Impact Statements**

May create cost savings to county jails for offenders placed in administrative alternatives rather than sentenced to jail terms. The average daily cost to incarcerate an inmate in a county jail is approximately \$109.25 a day. Savings generated from alternatives may be partially offset by increased administrative costs.