

MAINE STATE LEGISLATURE

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Date: 06-04-07

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
SENATE
123RD LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 681, L.D. 1873, Bill, "An Act To Amend the Laws Governing Stalking"

Amend the bill in section 1 in §210-A in subsection 1 in paragraph C in subparagraph (1) in the first line (page 1, line 24 in L.D.) by striking out the following: "any other" and inserting the following: 'another'

Amend the bill in section 1 in §210-A in subsection 1 in paragraph C in subparagraph (1) in the 3rd line (page 1, line 26 in L.D.) by striking out the following: "any other" and inserting the following: 'another'

Amend the bill in section 1 in §210-A in subsection 1 in paragraph C in subparagraph (2) in the last line (page 1, line 31 in L.D.) by striking out the following: "any other" and inserting the following: 'another'

Amend the bill in section 1 in §210-A in subsection 1 in paragraph C in subparagraph (3) in the first line (page 1, line 32 in L.D.) by striking out the following: "any other" and inserting the following: 'another'

Amend the bill in section 1 in §210-A in subsection 1 in paragraph C in subparagraph (4) in the 3rd line (page 1, line 37 in L.D.) by striking out the following: "any other" and inserting the following: 'another'

Amend the bill in section 1 in §210-A in subsection 1 in paragraph C in subparagraph (4) in the 4th line (page 1, line 38 in L.D.) by striking out the following: "any other" and inserting the following: 'another'

Amend the bill in section 1 in §210-A in subsection 2 in paragraph B in the last 2 lines (page 2, lines 34 and 35 in L.D.) by striking out the following: "coworker or any person with a significant personal relationship" and inserting the following: 'or any person with a significant personal or professional relationship'

Amend the bill in section 2 in subsection 5-D by striking out all of the last sentence (page 3, lines 10 to 12 in L.D.)

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 681, L.D. 1873

1 Amend the bill in section 3 in the 2nd line (page 3, line 14 in L.D.) by striking out the
2 following: "and does"

3

SUMMARY

4 This amendment changes "any other jurisdiction" to "another jurisdiction" to be
5 consistent with the Maine Criminal Code. The amendment removes the term "coworker"
6 from the definition of "close relation," while adding persons with professional
7 relationships. The amendment also strikes the last sentence of the Maine Revised
8 Statutes, Title 17-A, section 1252, subsection 5-D, which would have prohibited courts
9 from suspending that portion of the maximum term of imprisonment based on objective
10 or subjective victim impact in arriving at the final sentence in the 3rd step in the
11 sentencing process. The amendment also strikes 2 words in the legislative intent section.

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 1873

LR 1001(02)

An Act To Amend the Laws Governing Stalking

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

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Correctional and Judicial Impact Statements

This legislation expands the scope of prohibited conduct and aggravating factors of an offense as it relates to a Class D crime, elevating it to a Class C crime if the actor has prior convictions. This will increase the average length of stay by 1 year and 4 months (486 days) and must be served in a state correctional facility. The average increased cost to the state for each occurrence is \$50,165. The Judicial Department indicates that increasing minimum sentences by "assigning special weight" could require additional judicial resources for processing these cases. However, this bill could also prevent escalating violence and result in a reduction of trial days and needed resources. The net effect should be minimal on the Judicial Department.