

MAINE STATE LEGISLATURE

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**MS
RDS**

L.D. 1873

1
2 Date: 1-9-08

(Filing No. S-400)

3 **CRIMINAL JUSTICE AND PUBLIC SAFETY**

4 Reproduced and distributed under the direction of the Secretary of the Senate.

5 **STATE OF MAINE**

6 **SENATE**

7 **123RD LEGISLATURE**

8 **SECOND REGULAR SESSION**

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

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

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

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

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

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

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

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

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

COMMITTEE AMENDMENT

10/15

COMMITTEE AMENDMENT "B" 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 Amend the bill by inserting after section 3 the following:

4 'Sec. 4. Appropriations and allocations. The following appropriations and
5 allocations are made.

6 **CORRECTIONS, DEPARTMENT OF**
7 **Correctional Impact Reserve N033**

8 Initiative: Provides funds for the costs associated with one projected incarceration in a
9 state correctional facility.

10	GENERAL FUND	2007-08	2008-09
11	All Other	\$0	\$37,945
12			
13	GENERAL FUND TOTAL	<hr/>	<hr/>
14		\$0	\$37,945

15 **SUMMARY**

16 This amendment changes "any other jurisdiction" to "another jurisdiction" to be
17 consistent with the Maine Criminal Code. The amendment removes the term "coworker"
18 from the definition of "close relation," while adding persons with professional
19 relationships. The amendment also strikes language that would have prohibited courts
20 from suspending that portion of the maximum term of imprisonment based on objective
21 or subjective victim impact in arriving at the final sentence in the 3rd step in the
22 sentencing process. The amendment also strikes 2 words in the legislative intent section.
23 The amendment also adds an appropriations and allocations section to the bill.

24 **FISCAL NOTE REQUIRED**
25 **(See attached)**

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 1873

LR 1001(04)

An Act To Amend the Laws Governing Stalking

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	\$37,945	\$70,517	\$72,799
Appropriations/Allocations				
General Fund	\$0	\$37,945	\$70,517	\$72,799

Correctional and Judicial Impact Statements

Increases Class C crimes; see cost detail below.

Fiscal Detail and Notes

Correctional Cost Detail	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Class C crime	\$37,945	\$70,517	\$72,799	\$75,081	\$77,019
Total Cost - All Convictions	\$37,945	\$70,517	\$72,799	\$75,081	\$77,019

This estimate assumes one additional Class C conviction per year beginning in fiscal year 2008-09. The current average cost to the State for a Class C crime is \$70,173 based on an average length of stay of 1 year and 10 months or 675 days. Based on this estimate, the Department of Corrections will require a General Fund appropriation of \$37,945 in fiscal year 2008-09, \$70,517 in fiscal year 2009-10, \$72,799 in fiscal year 2010-11, \$75,081 in fiscal year 2011-12 and \$77,019 in fiscal year 2012-13 to provide funds for costs associated with one projected incarceration in a state correctional facility and additional probationary costs. The probationary costs are approximately \$2,282 per probationer per year for 3 years.

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