

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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

STATE OF MAINE

SENATE

123RD LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 784, L.D. 1990, "Resolve, To Prevent Domestic Violence and Protect Our Citizens"

Amend the resolve by striking out everything after the title and before the summary and inserting the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the effects of deadly domestic violence and its impact on the State's public health system and social services system are far-reaching; and

Whereas, it is imperative that the State explore adoption of a comprehensive strategy and network to address the many challenges surrounding domestic violence and protecting the State's citizens and communities; and

Whereas, as a part of this comprehensive policy, it is imperative that the State reach out to all persons affected by domestic violence, whether a victim, a family member or friend, community members, community organizations, victim services groups or law enforcement in order to gather the necessary information to ascertain what programs are working and what additional programs are needed to reach our underserved populations; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Review of supports and protections. Resolved: That the Department of Public Safety shall undertake a comprehensive review of the measures currently in place to support and protect victims and potential victims of domestic violence. In undertaking this review, the department shall consider:

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2008

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1 1. The ability of domestic violence advocacy offices in this State to provide
2 sufficient support, referrals, resources and protection for domestic violence victims given
3 current levels of funding;

4 2. The establishment of a program to gather input and comments from victims and
5 their families, community members, law enforcement and organizations that provide
6 services to domestic violence victims in order to determine which programs are working
7 effectively, how to better reach underserved populations and concerned community
8 members and what programs are missing or insufficiently funded;

9 3. The feasibility of providing increased funding from outside sources for safe
10 houses and crisis assistance for victims and their families;

11 4. The feasibility of providing increased funding from outside sources for free and
12 more accessible counseling and support services for victims; and

13 5. The feasibility of providing increased interventions to the victims, their families
14 and communities concerning domestic violence and how to find and access services; and
15 be it further

16 **Sec. 2. Review domestic violence laws. Resolved:** That the Department of
17 Public Safety shall endeavor to review the effectiveness of the provisions of the Maine
18 Criminal Code related to domestic violence; and be it further

19 **Sec. 3. Funding. Resolved:** That the Department of Public Safety shall endeavor
20 to secure outside funding and resources, including but not limited to the use of grants and
21 interns, to undertake the review under sections 1 and 2 and shall limit its work to that
22 which can be accomplished from sources other than appropriations from the General
23 Fund or Highway Fund; and be it further

24 **Sec. 4. Report. Resolved:** That the Department of Public Safety shall submit a
25 report of its findings, including any necessary implementing legislation, to the joint
26 standing committee of the Legislature having jurisdiction over criminal justice and public
27 safety matters no later than December 10, 2008. After receipt and review of the report,
28 the joint standing committee may submit legislation based on the report to the First
29 Regular Session of the 124th Legislature.

30 **Emergency clause.** In view of the emergency cited in the preamble, this
31 legislation takes effect when approved, except as otherwise indicated.'

32 **SUMMARY**

33 This amendment replaces the resolve with an emergency resolve and directs the
34 Department of Public Safety to undertake a review of the measures currently in place to
35 support and protect victims and potential victims of domestic violence and to determine
36 how to increase and develop strategies for the protection of victims of domestic violence
37 and for improvement of the criminal justice system response and how to find and access
38 services. The Department of Public Safety is also directed to review the effectiveness of
39 provisions of the Maine Criminal Code related to domestic violence.

40 The Department of Public Safety shall submit a report of its findings, including any
41 necessary implementing legislation, to the joint standing committee of the Legislature

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1 having jurisdiction over criminal justice and public safety matters, which may submit
2 legislation upon receiving the report. The resolve also directs the Department of Public
3 Safety to endeavor to secure outside funding to undertake this review and to limit its
4 work to that which can be accomplished from sources other than appropriations from the
5 General Fund or Highway Fund.

6
7

FISCAL NOTE REQUIRED
(See attached)



Approved: 03/25/08 *mac*

123rd MAINE LEGISLATURE

LD 1990

LR 2898(02)

Resolve, To Prevent Domestic Violence and Protect Our Citizens

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 - Federal Expenditures Funds

Fiscal Detail and Notes

The Department of Public Safety estimates that it will cost approximately \$17,000 to conduct this comprehensive review and currently has this amount in federal expenditures funds from an existing Stop Violence Against Women Formula grant which will be used to cover these costs. The majority of the work will be conducted by a summer intern. It is anticipated that the \$17,000 will cover the work outlined in the legislation.