

MAINE STATE LEGISLATURE

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M
P. 88

Date: 5/29/9

REPORT B

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 292, L.D. 385, Bill, "An Act To Ensure a Uniform Comprehensive State Policy Regarding Residency Restrictions for Sex Offenders"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 30-A MRSA §3013 is enacted to read:

§3013. Prohibition on ordinance or bylaw imposing special restrictions or requirements on convicted sex offenders

The State intends to occupy and preempt the entire field of legislation concerning the regulation of persons convicted of a sex offense in this State or in another jurisdiction. A municipality may not adopt or enforce any ordinance or bylaw addressing persons who have been convicted of a sex offense in this State or in another jurisdiction that would impose on them restrictions or requirements not imposed on other persons who have not been convicted of a sex offense in this State or in another jurisdiction. As used in this section, "convicted of a sex offense in this State or in another jurisdiction" means a conviction for any current or former Maine crime listed in Title 34-A, section 11203, subsection 6, paragraph B or Title 34-A, section 11203, subsection 7, paragraph A; a conviction for an attempt or solicitation of those listed crimes; or any conviction for any former or current crime in any other jurisdiction in which the person engaged in substantially similar conduct to that of the earlier specified current or former Maine crimes.'

SUMMARY

This is one of 2 minority reports of the committee. The amendment specifies that a municipality may not adopt or enforce any ordinance or bylaw addressing persons who have been convicted of a sex offense in Maine or in another jurisdiction that would impose on them restrictions or requirements not imposed on other persons who have not been convicted of a sex offense in Maine or in another jurisdiction. The purpose of this

COMMITTEE AMENDMENT

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amendment is for the Legislature to preempt the entire field of legislation concerning the regulation of persons convicted of a sex offense in this State or in another jurisdiction.

COMMITTEE AMENDMENT