

MAINE STATE LEGISLATURE

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SMC
R. 8. 8.

Date: 3/2/10

(Filing No. H-679)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1121, L.D. 1583, Bill, "An Act To Improve the Delivery of Community Corrections Services"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 17-A MRSA §1203, sub-§1-A, ¶A, as enacted by PL 1999, c. 788, §4, is amended to read:

A. If the period of probation commences upon release of the person from the initial unsuspended portion of the term of imprisonment or during service of a sentence for which suspension of execution was vacated upon revocation, the court may revoke probation for any criminal conduct committed during that initial period of imprisonment.'

Amend the bill in section 4 in paragraph B in the first line (page 1, line 28 in L.D.) by inserting after the following: "imprisonment" the following: 'or during service of a sentence for which suspension of execution was vacated upon revocation'

Amend the bill in section 5 in paragraph C in the first line (page 1, line 31 in L.D.) by inserting after the following: "imprisonment" the following: 'or during service of a sentence for which suspension of execution was vacated upon revocation'

Amend the bill in section 6 in paragraph D in the first line (page 1, line 35 in L.D.) by inserting after the following: "imprisonment" the following: 'or during service of a sentence for which suspension of execution was vacated upon revocation'

Amend the bill by inserting after section 6 the following:

'Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, STATE BOARD OF

State Board of Corrections Investment Fund Z087

COMMITTEE AMENDMENT

R. & S.

COMMITTEE AMENDMENT "A" to H.P. 1121, L.D. 1583

1 Initiative: Provides funds for the additional cost to the county correctional system
2 associated with an anticipated increase in the number of convictions for violation of a no
3 contact order.

4	GENERAL FUND	2009-10	2010-11
5	All Other	\$0	\$26,656
6			
7	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$26,656</u>

8	CORRECTIONS, STATE BOARD OF		
9	DEPARTMENT TOTALS	2009-10	2010-11
10			
11	GENERAL FUND	\$0	\$26,656
12			
13	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$26,656</u>

14 **INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**
15 **Maine Commission on Indigent Legal Services Z112**

16 Initiative: Provides funds for the additional cost of indigent legal services associated with
17 an anticipated increase in the number of violations of a no contact order.

18	GENERAL FUND	2009-10	2010-11
19	All Other	\$0	\$11,200
20			
21	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$11,200</u>

22	INDIGENT LEGAL SERVICES, MAINE		
23	COMMISSION ON		
24	DEPARTMENT TOTALS	2009-10	2010-11
25			
26	GENERAL FUND	\$0	\$11,200
27			
28	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$11,200</u>

29	SECTION TOTALS	2009-10	2010-11
30			
31	GENERAL FUND	\$0	\$37,856
32			
33	SECTION TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$37,856</u>
34			

COMMITTEE AMENDMENT

H. of S.

COMMITTEE AMENDMENT "A" to H.P. 1121, L.D. 1583

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Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment specifies that probation and supervised release may be revoked for misconduct occurring during a term of imprisonment served pursuant to any partial revocation of probation or supervised release. The bill authorizes revocation of probation and supervised release only for misconduct occurring during the initial term of imprisonment.

FISCAL NOTE REQUIRED

(See attached)



124th MAINE LEGISLATURE

LD 1583

LR 2258(02)

An Act To Improve the Delivery of Community Corrections Services

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Criminal Justice and Public Safety
Fiscal Note Required: Yes

Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Net Cost (Savings)				
General Fund	\$0	\$37,856	\$37,856	\$37,856
Appropriations/Allocations				
General Fund	\$0	\$37,856	\$37,856	\$37,856

Correctional and Judicial Impact Statements

Increases the number of probation revocations; increases judicial, correctional and indigent legal services costs.

Fiscal Detail and Notes

The State Board of Corrections will require a General Fund appropriation of \$26,656 in fiscal year 2010-11 based on an estimated increase of 32 probation revocations per year and an average per sentence cost of \$832. The Maine Commission on Indigent Legal Services will require a General Fund appropriation of \$11,200 to support the additional court-appointed counsel costs related to these cases.