

MAINE STATE LEGISLATURE

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Date: 5/31/11

L.D. 44

(Filing No. H-418)

Majority

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 37, L.D. 44, Bill, "An Act To Increase Potential Criminal Penalties for the Possession of Cocaine and Cocaine Base"

Amend the bill by adding after section 1 the following:

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

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

Initiative: Provides funds to the Correctional Impact Reserve program to support the additional incremental costs of enhancing the penalty for possession of cocaine and cocaine base.

GENERAL FUND	2011-12	2012-13
All Other	\$3,069,140	\$3,410,155
GENERAL FUND TOTAL	<u>\$3,069,140</u>	<u>\$3,410,155</u>

CORRECTIONS, DEPARTMENT OF DEPARTMENT TOTALS	2011-12	2012-13
GENERAL FUND	\$3,069,140	\$3,410,155
DEPARTMENT TOTAL - ALL FUNDS	<u>\$3,069,140</u>	<u>\$3,410,155</u>

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

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 37, L.D. 44

1 Initiative: Provides funds for the incremental increase in indigent legal services costs as a
 2 result of enhancing the penalty for possession of cocaine and cocaine base.

3	GENERAL FUND	2011-12	2012-13
4	All Other	\$17,885	\$17,885
5			
6	GENERAL FUND TOTAL	<u>\$17,885</u>	<u>\$17,885</u>
7	INDIGENT LEGAL SERVICES, MAINE		
8	COMMISSION ON		
9	DEPARTMENT TOTALS	2011-12	2012-13
10			
11	GENERAL FUND	\$17,885	\$17,885
12			
13	DEPARTMENT TOTAL - ALL FUNDS	<u>\$17,885</u>	<u>\$17,885</u>
14	SECTION TOTALS	2011-12	2012-13
15			
16	GENERAL FUND	\$3,087,025	\$3,428,040
17			
18	SECTION TOTAL - ALL FUNDS	<u>\$3,087,025</u>	<u>\$3,428,040</u>
19			

20 **SUMMARY**

21 This amendment is the majority report of the committee. The amendment adds an
 22 appropriations and allocations section.

23 **FISCAL NOTE REQUIRED**

24 (See attached)



125th MAINE LEGISLATURE

LD 44

LR 190(02)

An Act To Increase Potential Criminal Penalties for the Possession of Cocaine and Cocaine Base

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

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
Net Cost (Savings)				
General Fund	\$3,087,025	\$3,428,040	\$3,428,040	\$3,428,040
Appropriations/Allocations				
General Fund	\$3,087,025	\$3,428,040	\$3,428,040	\$3,428,040

Correctional and Judicial Impact Statements

Increases Class D crimes to Class C crimes; increases correctional, indigent legal and judicial costs.

The collection of additional fines may also increase General Fund revenue by minor amounts.

Fiscal Detail and Notes

Correctional Cost Detail	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Increases Class D to Class C	\$3,069,140	\$3,410,155	\$3,410,155	\$3,410,155	\$3,410,155
Total Cost - All Convictions	\$3,069,140	\$3,410,155	\$3,410,155	\$3,410,155	\$3,410,155

The annual incremental increase to the correctional system is estimated to be \$3,410,155 based on an assumed 245 convictions per year. The annual incremental cost to the Maine Commission on Indigent Legal Services is estimated to be \$17,885.