

MAINE STATE LEGISLATURE

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SMY
4/28

Majority

Date: 5/11/17

L.D. 179

(Filing No. H-163)

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 135, L.D. 179, Bill, "An Act To Make Creating a Police Standoff a Class E Crime"

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

'Sec. 1. 17-A MRSA §517 is enacted to read:

§517. Creating police standoff

1. Creating police standoff. A person is guilty of creating a police standoff if that person:

- A. Is in fact barricaded as a result of the person's own actions;
- B. Is or claims to be armed with a dangerous weapon;
- C. Is instructed by a law enforcement officer or law enforcement agency, either personally, electronically or in writing, to leave the barricaded location; and
- D. Fails in fact to leave the barricaded location within 1/2 hour of receiving the instruction as described in paragraph C from a law enforcement officer or law enforcement agency.

2. Class E crime. Creating a police standoff is a Class E crime.

Sec. 2. 25 MRSA c. 405, as amended, is repealed.'

SUMMARY

This amendment is the majority report of the committee and replaces the bill. The amendment repeals the civil violation of creating a police standoff that exists in the Maine Revised Statutes, Title 25 and enacts a Class E crime of creating a police standoff in Title 17-A. The amendment provides that a person is guilty of creating a police standoff when the person is barricaded as a result of the person's own actions, including when the person barricades himself or herself in a vehicle, is or claims to be armed with a

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1 dangerous weapon, is instructed by law enforcement to leave the barricaded location and
2 fails to leave within 1/2 hour. The amendment does not include the provision from the
3 repealed law that relates to restitution since restitution will be available with regard to the
4 new Class E crime for economic loss incurred for police costs as an emergency response
5 under Title 17-A, chapter 54.

FISCAL NOTE REQUIRED
(See Attached)

COMMITTEE AMENDMENT



128th MAINE LEGISLATURE

LD 179

LR 3(02)

An Act To Make Creating a Police Standoff a Class E Crime

Fiscal Note for Bill as Amended by Committee Amendment *A(CH-163)*

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new Class E crimes.

Decreases the number of civil violations

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