

MAINE STATE LEGISLATURE

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Date: 4/3/18

L.D. 1877
(Filing No. H-709)

STATE AND LOCAL GOVERNMENT

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

COMMITTEE AMENDMENT "A" to H.P. 1309, L.D. 1877, Bill, "An Act To Expand the Areas Subject to Municipal Residency Restrictions for Sex Offenders"

Amend the bill by striking out the title and substituting the following:

'An Act To Expand and Clarify the Areas Subject to Municipal 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'Sec. 1. 30-A MRSA §3014, sub-§2, ¶B, as amended by PL 2013, c. 161, §1, is repealed and the following enacted in its place:

B. A municipality may prohibit residence by a sex offender up to a maximum distance of 750 feet surrounding the real property comprising:

- (1) A public or private elementary, middle or secondary school;
- (2) A municipally owned or state-owned park, athletic field or recreational facility that is open to the public where children are the primary users; or
- (3) A municipally owned or state-owned property leased to a nonprofit organization for purposes of a park, athletic field or recreational facility that is open to the public where children are the primary users.'

SUMMARY

When the Maine Revised Statutes, Title 30-A, section 3014, subsection 2, paragraph B was amended in 2013, the legislation inadvertently omitted the ability of a municipality, by ordinance, to prohibit a sex offender from residing within 750 feet of property comprising a municipally owned or state-owned park, athletic field or recreational facility that is open to the public where children are the primary users; the exclusion was permitted only if that municipally owned or state-owned property was leased to a nonprofit organization.

COMMITTEE AMENDMENT

R. O. S.

COMMITTEE AMENDMENT "A" to H.P. 1309, L.D. 1877

1 This amendment replaces the bill and expands the area from which a sex offender
2 may be excluded by enactment of a municipal ordinance to include 750 feet from a
3 municipally owned or state-owned park, athletic field or recreational facility that is open
4 to the public where children are the primary users, even if that property is not leased to a
5 nonprofit organization.

COMMITTEE AMENDMENT