

# MAINE STATE LEGISLATURE

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L.D. 44

Date: 4/17/19

(Filing No. H- 104)

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 45, L.D. 44, Bill, "An Act Regarding the Maine Criminal Code"

Amend the bill in Part A by inserting after section 2 the following:

**'Sec. A-3. Appropriations and allocations.** The following appropriations and allocations are made.

**CORRECTIONS, DEPARTMENT OF  
Correctional Center 0162**

Initiative: Provides funds to the Department of Corrections for costs related to the increase in incarcerated individuals as a result of the establishment of a new Class C crime.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$44,106	\$90,250
<b>GENERAL FUND TOTAL</b>	<u>\$44,106</u>	<u>\$90,250</u>

Amend the bill in Part D in section 3 in subsection 8 in the 4th line (page 4, line 19 in L.D.) by inserting after the following: "advised" the following: 'by a judicial officer, a law enforcement officer or an employee of a county or regional jail or a correctional facility having custody of the defendant'

**SUMMARY**

This amendment clarifies that the notice required by the bill in order for a condition of release to take effect immediately may be provided by a judicial officer, a law

**COMMITTEE AMENDMENT**

ROFS

COMMITTEE AMENDMENT "A" to H.P. 45, L.D. 44

1 enforcement officer or an employee of a county or regional jail or a correctional facility  
2 having custody of the defendant. The amendment also adds an appropriations and  
3 allocations section.

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**FISCAL NOTE REQUIRED**

**(See attached)**

**COMMITTEE AMENDMENT**



# 129th MAINE LEGISLATURE

LD 44

LR 228(02)

## An Act Regarding the Maine Criminal Code

Fiscal Note for Bill as Amended by Committee Amendment *A (H-104)*

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

### Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
<b>Net Cost (Savings)</b>				
General Fund	\$44,106	\$90,250	\$92,288	\$92,288
<b>Appropriations/Allocations</b>				
General Fund	\$44,106	\$90,250	\$92,288	\$92,288

### Correctional and Judicial Impact Statements

Establishes new Class C crimes; increases correctional and judicial costs.

The additional workload associated with the minimal number of new cases does not require additional funding at this time for the courts.

The collection of additional fine revenue will increase General Fund and dedicated revenue by minor amounts.

### Fiscal Detail and Notes

This bill would establish a new Class C crime for the reckless violation of a duty of care or protection that results in death or serious bodily injury to a child. According to data pertaining to the maltreatment of a child resulting in death where neglect was present, it is anticipated that the establishment of this crime will result in an additional 2 convictions per year. Given the effective date of the bill, only one additional conviction under the new crime is anticipated in FY 2019-20.

The current average cost to the Department of Corrections for a Class C crime is \$44,106 per sentence based on an average length of stay of 364 days, with an additional \$2,038 for probation costs. The bill includes general fund appropriations to the Department of Corrections of \$44,106 in FY 2019-20 and \$90,250 in FY 2020-21.