

MAINE STATE LEGISLATURE

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Date: 2/16/24

(Filing No. S-533)

MINORITY

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

SENATE

131ST LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 650, L.D. 1633, "An Act to Establish a Community-based Reentry Program in All Department of Corrections Facilities"

Amend the bill in section 2 in §3036-C in subsection 3 in paragraph A in the last line (page 1, line 30 in L.D.) by striking out the following: ";" and inserting the following: ';

Amend the bill in section 2 in §3036-C in subsection 3 in paragraph B in subparagraph (2) in the last line (page 1, line 36 in L.D.) by striking out the following: ";" and inserting the following: ';

Amend the bill in section 2 in §3036-C in subsection 3 in paragraph C in subparagraph (2) in division (d) in the first line (page 2, line 7 in L.D.) by striking out the following: "and"

Amend the bill in section 2 in §3036-C in subsection 3 in paragraph C in subparagraph (2) by inserting after division (e) the following:

'(f) If the participant is prohibited from owning, possessing or having under the participant's control a firearm pursuant to Title 15, section 393 upon the participant's release, identification of the participant's potential access to firearms and coordination of information sharing with the participant's primary community-based supports regarding this prohibition; and

(g) Plans for compliance with any protection from abuse order pursuant to former Title 19, section 769, Title 19-A, former section 4011 or Title 19-A, section 4113 or other court order related to any victim of the crime for which the participant is incarcerated, as well as connection to any community-based domestic violence intervention program when appropriate.'

Amend the bill in section 2 in §3036-C in subsection 3 in paragraph C in subparagraph (5) in the last line (page 2, line 14 in L.D.) by striking out the following: ";" and inserting the following: '; and'

COMMITTEE AMENDMENT

ROS

COMMITTEE AMENDMENT "A" to S.P. 650, L.D. 1633 (S. 533)

1 Amend the bill in section 2 in §3036-C in subsection 3 in paragraph D in subparagraph
2 (2) in division (e) in the first line (page 2, line 31 in L.D.) by striking out the following:
3 "email" and inserting the following: 'e-mail'

4 Amend the bill in section 2 in §3036-C in subsection 4 in paragraph A in subparagraph
5 (3) in the last line (page 3, line 8 in L.D.) by striking out the following: "and"

6 Amend the bill in section 2 in §3036-C in subsection 4 in paragraph A by inserting
7 after subparagraph (4) the following:

8 '(5) If the participant is prohibited from owning, possessing or having under the
9 participant's control a firearm pursuant to Title 15, section 393 upon the
10 participant's release, identify any known access by the participant to firearms and
11 confirm the participant's primary community-based supports are informed
12 regarding this prohibition; and'

13 Amend the bill in section 3 in §3036-D in subsection 2 by striking out all of paragraph
14 C (page 5, lines 17 and 18 in L.D.) and inserting the following:

15 'C. Two members representing statewide organizations that provide victim advocacy
16 services, appointed by the President of the Senate;'

17 Amend the bill by inserting after section 3 the following:

18 **'Sec. 4. Appropriations and allocations.** The following appropriations and
19 allocations are made.

20 **CORRECTIONS, DEPARTMENT OF**
21 **Administration - Corrections 0141**

22 Initiative: Provides one-time funding for facility costs related to housing a community-
23 based reentry program at each correctional facility.

24	GENERAL FUND	2023-24	2024-25
25	Capital Expenditures	\$0	\$42,000,000
26			
27	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$42,000,000</u>

28 **Administration - Corrections 0141**

29 Initiative: Provides funding for 7 Intensive Case Manager positions, 7 Recovery Resource
30 Coordinator positions, 7 Community Reintegration Specialist positions and related costs to
31 establish and administer a community-based reentry program at each correctional facility.

32	GENERAL FUND	2023-24	2024-25
33	POSITIONS - LEGISLATIVE COUNT	0.000	21.000
34	Personal Services	\$0	\$2,417,919
35	All Other	\$0	\$1,391,533
36			
37	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$3,809,452</u>

39 **CORRECTIONS, DEPARTMENT OF**
40 **DEPARTMENT TOTALS**

41		2023-24	2024-25
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COMMITTEE AMENDMENT

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GENERAL FUND	\$0	\$45,809,452
DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$45,809,452</u>

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

SUMMARY

This amendment, which is the minority report of the committee, does the following.

1. When a participant in the community-based reentry program established in the bill is prohibited from owning, possessing or having under the participant's control a firearm upon the participant's release, it adds as topics in the participant's initial assessment and post-release meeting consideration of a participant's possible access to firearms and ensuring the participant's community supports understand this prohibition.
2. When a participant is subject to a protection from abuse order or other court order upon the participant's release, it requires establishing a plan for compliance with the order as part of the participant's release plan and connection to any community-based domestic violence intervention program when appropriate.
3. It clarifies the membership in the Peer Reentry Review Board established in the bill to provide that the 2 members representing victim advocacy organizations do not need to be from the same organization.
4. It makes technical corrections.
5. It also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 1633

LR 1240(02)

An Act to Establish a Community-based Reentry Program in All Department of Corrections Facilities

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-533)
 Committee: Criminal Justice and Public Safety
 Fiscal Note Required: Yes

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$0	\$45,809,452	\$3,941,325	\$4,065,274
Appropriations/Allocations				
General Fund	\$0	\$45,809,452	\$3,941,325	\$4,065,274

Fiscal Detail and Notes

This bill includes a General Fund appropriation of \$3,809,452 in fiscal year 2024-25 to the Department of Corrections for 7 Intensive Case Manager positions, 7 Recovery Resource Coordinator positions, 7 Community Re-integration Specialist positions and related costs to establish and administer a community-based reentry program at each correctional facility. The bill also includes a one-time General Fund appropriation of \$42,000,000 in fiscal year 2024-25 to the Department of Corrections for facility costs related to housing a community-based reentry program at each correctional facility. The Department has indicated that the current facilities do not have enough space to house this new program and new buildings will need to be constructed.

Any additional costs to the Department of Health and Human Services, the Department of Labor and the Maine State Housing Authority to take part in the Peer Review Entry Board are expected to be minor and can be absorbed within existing budgeted resources.