

# MAINE STATE LEGISLATURE

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Date: 4/15/24 Minority

L.D. 2269  
(Filing No. H-972)

**JUDICIARY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1459, L.D. 2269, "An Act to Automatically Seal Criminal History Record Information for Class D and Class E Crimes Relating to Marijuana Possession and Cultivation"

Amend the bill in section 1 in c. 313 in §2401 in subsection 6 by striking out all of paragraphs D to H (page 1, lines 30 to 38 and page 2, lines 1 and 2 in L.D.) and inserting the following:

- 'D. Aggravated cultivating of marijuana under Title 17-A, section 1105-D, subsection 1, paragraph D, subparagraph (4); or
- E. Unlawful possession of scheduled drugs under Title 17-A, former section 1107 when that scheduled drug was marijuana and the underlying crime was a Class D or Class E crime.'

Amend the bill by inserting after section 1 the following:

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

**JUDICIAL DEPARTMENT**

**Courts - Supreme, Superior and District 0063**

Initiative: Provides All Other funding for contracted temporary staffing to assist with reviewing cases.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$232,800
<b>GENERAL FUND TOTAL</b>	\$0	\$232,800

**Courts - Supreme, Superior and District 0063**

Initiative: Establishes 2 limited-period Law Clerk positions through June 30, 2026 and provides funding for related All Other costs.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
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**COMMITTEE AMENDMENT**

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COMMITTEE AMENDMENT "A" to H.P. 1459, L.D. 2269

1	Personal Services	\$0	\$216,000
2	All Other	\$0	\$8,000
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$224,000</u>
5	<b>Courts - Supreme, Superior and District 0063</b>		
6	Initiative: Provides one-time funding for compensation to active retired judges to review		
7	cases.		
8	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
9	All Other	\$0	\$25,375
10			
11	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$25,375</u>
12			
13	<b>JUDICIAL DEPARTMENT</b>		
14	<b>DEPARTMENT TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>
15			
16	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$482,175</b>
17			
18	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$0</b></u>	<u><b>\$482,175</b></u>
19	<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
20	<b>State Police 0291</b>		
21	Initiative: Provides one-time funding for computer programming.		
22	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
23	All Other	\$0	\$32,500
24			
25	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$32,500</u>
26			
27	<b>HIGHWAY FUND</b>	<b>2023-24</b>	<b>2024-25</b>
28	All Other	\$0	\$17,500
29			
30	HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$17,500</u>
31	<b>State Police 0291</b>		
32	Initiative: Provides funding for one Paralegal position and related All Other costs to		
33	identify and seal applicable crimes relating to marijuana possession and cultivation.		
34	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
35	POSITIONS - LEGISLATIVE COUNT	0,000	1,000
36	Personal Services	\$0	\$60,374
37	All Other	\$0	\$3,358
38			
39	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$63,732</u>
40			
41	<b>HIGHWAY FUND</b>	<b>2023-24</b>	<b>2024-25</b>

**COMMITTEE AMENDMENT**

ROS

COMMITTEE AMENDMENT "A" to H.P. 1459, L.D. 2269

1	Personal Services	\$0	\$32,509
2	All Other	\$0	\$4,769
3			
4	HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$37,278</u>
5			
6	<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
7	<b>DEPARTMENT TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>
8			
9	GENERAL FUND	\$0	\$96,232
10	HIGHWAY FUND	\$0	\$54,778
11			
12	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$151,010</u>
13			
14	<b>SECTION TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>
15			
16	GENERAL FUND	\$0	\$578,407
17	HIGHWAY FUND	\$0	\$54,778
18			
19	SECTION TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$633,185</u>

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

23 **SUMMARY**

24 This amendment clarifies the definition of "eligible criminal conviction" in the bill,  
25 which identifies what is considered an eligible crime for the automatic sealing of criminal  
26 history record information related to a conviction for that crime, to ensure that the definition  
27 includes only those crimes that are no longer considered illegal under Maine's adult use  
28 cannabis laws. The amendment also adds an appropriations and allocations section.

29 **FISCAL NOTE REQUIRED**

30 (See attached)

**COMMITTEE AMENDMENT**



# 131st MAINE LEGISLATURE

LD 2269

LR 3098(02)

An Act to Automatically Seal Criminal History Record Information for Class D and Class E Crimes  
Relating to Marijuana Possession and Cultivation

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-972)

Committee: Judiciary

Fiscal Note Required: Yes

## Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$578,407	\$538,984	\$68,549
Highway Fund	\$0	\$54,778	\$37,475	\$39,019
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$578,407	\$538,984	\$68,549
Highway Fund	\$0	\$54,778	\$37,475	\$39,019

### Fiscal Detail and Notes

The bill includes a General Fund appropriation of \$96,232 and a Highway Fund allocation of \$54,778 to the Department of Public Safety in fiscal year 2024-25 for one Paralegal position and related All Other costs, including one-time programming costs to identify and seal certain criminal history record information relating to cannabis possession and cultivation.

The bill also includes a one-time General Fund appropriation to the Judicial Department of \$482,175 in fiscal year 2024-25 for 2 limited-period Law Clerk positions, contracted temporary staffing and payments to active retired judges to review criminal history record information to determine whether certain criminal convictions relating to cannabis possession and cultivation qualify to have the record sealed.