

CRJ Committee Bills - Updated Through April 10, 2008

LD 3 An Act To Strengthen "Permissible Inference" in the Law Concerning Dissemination of Sexually Explicit Material

Sponsor: Rep. Sykes of Harrison Law Ref.:
 Committee: Criminal Justice and Public Safety
 House Status: ENACTED Sort: F Active Item: 5
 Senate Status: APPROP. TABLE Motion: Engrosser: Yes

General Fund	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$0	\$42,945	\$100,956	\$123,302
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$0	\$42,945	\$100,956	\$123,302

Correctional/Judicial Impact: May increase violations of Class A, B and C crimes. See cost detail below.

LD 68 An Act To Provide a Reward for Information Regarding the Murder of a Law Enforcement Officer

Sponsor: Rep. Harlow of Portland Law Ref.:
 Committee: Criminal Justice and Public Safety
 House Status: ENACTED Sort: B Active Item: 5
 Senate Status: APPROP. TABLE Motion: Engrosser: Yes

Fiscal Note Summary: Potential current biennium cost increase - General Fund

LD 71 An Act To Amend the Laws Governing the Plea of Not Criminally Responsible by Reason of Mental Disease or Defect in Juvenile Cases

Sponsor: Rep. Sykes of Harrison Law Ref.:
 Committee: Criminal Justice and Public Safety
 House Status: ENACTED Sort: B Active Item: 5
 Senate Status: APPROP. TABLE Motion: Engrosser: Yes

Fiscal Note Summary: Potential current biennium cost increase - General Fund

LD 149 An Act To Take into Account the Crime Committed That Facilitated a Sexual Assault

Sponsor: Rep. Crockett of Augusta Law Ref.:
 Committee: Criminal Justice and Public Safety
 House Status: ENACTED Sort: F Active Item: 5
 Senate Status: APPROP. TABLE Motion: Engrosser: Yes

General Fund	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$0	\$960	\$960	\$32,770
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$0	\$960	\$960	\$32,770

Correctional/Judicial Impact: Increases certain offenses from Class C to Class B and Class B to Class A, increasing the average length of stay for offenders. See cost detail below.

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LD 220 An Act To Clarify and Expand Maine Criminal Laws Related to Sexual Assault

Sponsor: Rep. Gerzofsky of Brunswick
Committee: Criminal Justice and Public Safety

Law Ref.:

House Status: ENACTED
Senate Status: APPROP. TABLE

Sort: F
Motion:

Active Item: 5
Engrosser: Yes

General Fund	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$0	\$37,945	\$70,173	\$70,173
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$0	\$37,945	\$70,173	\$70,173

Correctional/Judicial Impact: Establishes new Class C, D and E crimes. See cost detail below.

LD 280 An Act To Make a Conviction for a 6th Operating under the Influence Charge a Class B Crime

Sponsor: Sen. Diamond of Cumberland
Committee: Criminal Justice and Public Safety

Law Ref.:

House Status: ENACTED
Senate Status: APPROP. TABLE

Sort: F
Motion:

Active Item: 5
Engrosser: Yes

General Fund	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$0	\$0	\$0	\$18,920
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$0	\$0	\$0	\$18,920

Correctional/Judicial Impact: Increases the class of crime for OUI to a Class B crime for a person with 5 previous convictions. See cost detail below.

LD 446 An Act To Improve the Use of Information Regarding Sex Offenders to Better Ensure Public Safety and Awareness

Sponsor: Sen. Diamond of Cumberland
Committee: Criminal Justice and Public Safety

Law Ref.:

House Status: UNFIN. BUSINESS
Senate Status: ENG AS AMENDED BY

Sort: A
Motion:

Active Item: 2
Engrosser: No

Table Notes: CRJ #2 Priority

General Fund	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$0	\$10,000	\$0	\$0
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$0	\$10,000	\$0	\$0

LD 1512 An Act To Change the Statute of Limitations for Gross Sexual Assault by a Juvenile

Sponsor: Sen. Bartlett of Cumberland
Committee: Criminal Justice and Public Safety

Law Ref.:

House Status: ENACTED
Senate Status: APPROP. TABLE

Sort: F
Motion:

Active Item: 7
Engrosser: Yes

General Fund	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$0	\$38,478	\$71,340	\$72,548
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$0	\$38,478	\$71,340	\$72,548

Correctional/Judicial Impact: Extends the statute of limitation from 6 years to 10 years for juveniles for unlawful sexual contact and will result in additional juvenile felony crimes. See cost detail below.

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LD 1674 An Act To Amend the Habitual Offender and Felony Operating Under the Influence Laws

Sponsor: Sen. Diamond of Cumberland
 Committee: Criminal Justice and Public Safety

Law Ref.:

House Status: EMER ENACTED
 Senate Status: APPROP. TABLE

Sort: F
 Motion:

Active Item: 5
 Engrosser: Yes

General Fund	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$0	\$0	\$274,472	\$274,472
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$0	\$0	\$274,472	\$274,472

Correctional/Judicial Impact: This legislation increases habitual offender and felony OUI penalties. See cost detail below.

LD 1873 An Act To Amend the Laws Governing Stalking

Sponsor: President Edmonds of Cumberland
 Committee: Criminal Justice and Public Safety

Law Ref.:

House Status: ENACTED
 Senate Status: APPROP. TABLE

Sort: F
 Motion:

Active Item: 5
 Engrosser: Yes

General Fund	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$0	\$37,945	\$70,517	\$72,799
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$0	\$37,945	\$70,517	\$72,799

Correctional/Judicial Impact: Increases Class C crimes; see cost detail below.

LD 1897 An Act To Allow Blended Sentencing for Certain Juveniles

Sponsor: Sen. Diamond of Cumberland
 Committee: Criminal Justice and Public Safety

Law Ref.:

House Status: ENACTED
 Senate Status: APPROP. TABLE

Sort: F
 Motion:

Active Item: 5
 Engrosser: Yes

Fiscal Note Summary: Potential future biennium cost increase - General Fund

Correctional/Judicial Impact: This legislation allows blended sentencing for certain juveniles convicted as adults and sentenced to imprisonment if the juvenile has not attained 16 years of age at the time of sentencing. The fiscal impact of allowing sentencing placement to both juvenile (until age 18) and adult correctional facilities will depend on how often this type of sentence occurs and on what the sentence might have been had the current statutes continued unchanged. It appears that the most likely use of the blended sentence would be to add time in an adult facility beyond what might have been a sentence served only in a juvenile facility. An additional cost to the State would be incurred for the additional total time served. However, in the last 5 years there were 60 bind-overs and none of them involved a person under 16 years of age. Therefore, it is not expected that the number of future incarcerations would be significant.

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LD 1902 An Act To Bring Maine into Compliance with Federal Law Regarding Purchases of Firearms by Persons Found To Be a Danger to Themselves or Others

Sponsor: Rep. Faircloth of Bangor
 Committee: Criminal Justice and Public Safety
 House Status: UNFIN. BUSINESS
 Senate Status: RECOMMITTED TO

Law Ref.:

Sort: A
 Motion:
 Active Item: 4
 Engrosser: No

General Fund	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$0	\$225,335	\$56,118	\$56,809
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$0	\$225,335	\$56,118	\$56,809

LD 2079 An Act To Strengthen the Crime of Visual Sexual Aggression against a Child

Sponsor: Rep. Hill of York
 Committee: Criminal Justice and Public Safety
 House Status: ENACTED
 Senate Status: APPROP. TABLE

Law Ref.:

Sort: F
 Motion:
 Active Item: 3
 Engrosser: Yes

Fiscal Note Summary: Future biennium cost increase - General Fund

Correctional/Judicial Impact: Minimal increase in Class C and D case-load. As it is estimated that this change will be relevant to a case approximately once every 17 years, no appropriation is included at this time.

LD 2080 An Act To Better Coordinate and Reduce the Cost of the Delivery of State and County Correctional Services

Sponsor: Rep. Crockett of Augusta
 Committee: Criminal Justice and Public Safety
 House Status: REF'D TO COMMITTEE
 Senate Status: REF. IN CON.

Law Ref.:

Sort: A
 Motion:
 Active Item: 2
 Engrosser: No

Table Notes: CRJ #1 Priority

General Fund	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$0	\$1,838,902	\$2,546,562	\$1,046,562
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$0	\$1,838,902	\$2,546,562	\$1,046,562

Fiscal Note Summary: State Mandate - Funded

State Mandates

<u>Activity</u>	<u>Affected Unit</u>	<u>Cost</u>
Modifies the operations of the county jails. The established cap on county tax assessments for correctional expenditures will shift additional costs to the State and is intended to fund 90% of the additional local costs.	County	Unknown

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LD 2312 Resolve, To Extend the Pilot Project at the Juvenile Correctional Facilities

Sponsor:
 Committee: Criminal Justice and Public Safety
 House Status: EMER FINALLY PASSED
 Senate Status: APPROP. TABLE

Law Ref.:

Sort: A
 Motion:
 Active Item: 2
 Engrosser: Yes

General Fund	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$0	\$49,429	\$50,686	\$0
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$0	\$49,429	\$50,686	\$0

Report Totals

Number of Bills: 15

General Fund Totals	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$0	\$2,281,939	\$3,241,784	\$1,768,355
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$0	\$2,281,939	\$3,241,784	\$1,768,355