

BILL DIAMOND, DISTRICT 12, CHAIR
 EARLE L. MCCORMICK, DISTRICT 21
 ROGER L. SHERMAN, DISTRICT 34



MARION HYLAN BARR, LEGISLATIVE ANALYST
 FERN NEILSON, COMMITTEE CLERK

STAN GERZOFSKY, BRUNSWICK, CHAIR
 PATRICIA A. BLANCHETTE, BANGOR
 ANNE M. HASKELL, PORTLAND
 STEPHEN P. HANLEY, GARDINER
 DAWN HILL, YORK
 BRYAN T. KAENRATH, SOUTH PORTLAND
 RICHARD M. SYKES, HARRISON
 CHRISTIAN D. GREELEY, LEVANT
 GARY E. PLUMMER, WINDHAM
 JOSEPH L. TIBBETTS, COLUMBIA

STATE OF MAINE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

To: Sen. Margaret Rotundo, Senate Chair
 Rep. Jeremy Fischer, House Chair
 Joint Standing Committee on Appropriations and Financial Affairs

From: Sen. Bill Diamond, Senate Chair
 Rep. Stan Gerzofsky, House Chair
 Joint Standing Committee on Criminal Justice and Public Safety

Re: Priorities for bills on the special appropriations table

Date: April 9, 2008

Please accept this memo as the Criminal Justice and Public Safety Committee's priorities for bills that have been placed or will be placed on the special appropriations table. Both **LD 2080, An Act to Better Coordinate and Reduce the Cost of the Delivery of State and County Correctional Services**, and **LD 446, An Act To Improve the Use of Information Regarding Sex Offenders to Better Ensure Public Safety and Awareness**, are the committee's very highest priorities.

The committee has spent many hours, as have state, county and municipal officials, to craft a unified correctional plan that will enable the coordination and oversight of a cost-efficient correctional system within the State. LD 2080 reflects this effort, and although the bill has fiscal implications, the committee has been assured by the Governor that necessary funding will be found to cover the costs of both restoring \$1 million to Prisoner Support and Community Corrections Fund and the \$772,340 necessary to pay for the marginal boarding costs of state inmates at county jails.

The committee has been working on LD 446 for 2 years, again with the help of the Departments of Public Safety and Corrections, the Judiciary, the Attorney General, advocates and other interested parties. The committee amendment reflects changes that provide balance between ensuring the safety of the public and the rights of persons who were previously convicted and have led long productive lives without reoffending. Importantly, the amendment also seeks to make the Sex Offender Registration and Notification Act more defensible in light of concerns recently raised by the Maine Law Court.

In addition to these 2 top priority bills, the committee categorized the remaining tabled bills as high, medium and low priorities. Those identified as high priorities with the most important listed first are:

- LD 1897 An Act To Allow Blended Sentencing for Certain Juveniles;
- LD 1512 An Act To Change the Statute of Limitations for Gross Sexual Assault by a Juvenile;
- LD 71 An Act To Amend the Laws Governing the Plea of Not Criminally Responsible by Reason of Insanity in Juvenile Cases; and
- LD 1873 An Act To Amend the Laws Governing Stalking.

Bills identified as medium priorities in no particular order are:

- LD 3 An Act To Strengthen "Permissible Inference" in the Law Concerning Dissemination of Sexually Explicit Material;
- LD 149 An Act To Take into Account the Crime Committed That Facilitated a Sexual Assault;
- LD 220 An Act To Clarify and Expand Maine Criminal Laws Related to Sexual Assault;
- LD 280 An Act To Make a Conviction for a 6th Operating under the Influence Charge a Class B Crime;
- LD 1674 An Act To Amend the Habitual Offender and Felony Operating Under the Influence Laws; and
- LD 1902 An Act Requiring the State Bureau of Identification To Report Persons Found To Be a Danger to Themselves or to Others to the National Instant Criminal Background Check System.

Bills identified as low priorities in no particular order are:

- LD 68 An Act To Provide a Reward for Information Regarding the Murder of a Law Enforcement Officer; and
- LD 2079 An Act To Strengthen the Crime of Visual Sexual Aggression against a Child.

Thank you for the opportunity to present our priorities. Please let us know if you have any questions.