

- 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: 3
 Senate Status: APPROP. TABLE Motion: Engrosser: Yes
 Fiscal Note Summary: Current biennium cost increase - General Fund
 Correctional/Judicial Impact: Increases violations of Class A, B and C crimes; increases correctional and judicial costs.
- 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: 3
 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: 3
 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: 3
 Senate Status: APPROP. TABLE Motion: Engrosser: Yes
 Fiscal Note Summary: Current biennium cost increase - General Fund
 Correctional/Judicial Impact: This bill allows the increase of certain offenses from Class C to Class B and Class B to Class A, increasing the average length of stay for offenders. It is discretionary for certain sentences to be served consecutively.
- LD 220 An Act To Clarify and Expand Maine Criminal Laws Related to Sexual Assault**
 Sponsor: Rep. Gerzofsky of Brunswick Law Ref.:
 Committee: Criminal Justice and Public Safety
 House Status: ENACTED Sort: F Active Item: 3
 Senate Status: APPROP. TABLE Motion: Engrosser: Yes
 Fiscal Note Summary: Current biennium cost increase - General Fund
 Correctional/Judicial Impact: Establishes new Class C, D and E crimes; increases correctional and judicial costs
- LD 239 An Act To Provide a Felony Penalty for Assault on a Firefighter**
 Sponsor: Rep. Duchesne of Hudson Law Ref.:
 Committee: Criminal Justice and Public Safety
 House Status: ENACTED Sort: F Active Item: 3
 Senate Status: APPROP. TABLE Motion: Engrosser: Yes
 Fiscal Note Summary: Current biennium cost increase - General Fund
 Correctional/Judicial Impact: Establishes new Class C crimes; increases correctional and judicial costs

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

Sort: F

Active Item: 3

Senate Status: APPROP. TABLE

Motion:

Engrosser: Yes

Fiscal Note Summary: Current biennium cost increase - General Fund

Correctional/Judicial Impact: Increases the class of crime for OUI to class B for person with 5 previous convictions; increases correctional and judicial costs. Sentences of more than nine months imposed for a Class B crime must be served in a state correctional facility. The average cost to the state for each sentence is \$98,327 based on an average length of stay of 2 years 7 months. Sentences of nine months or less imposed for a Class B crime must be served in a county jail. The average cost to a county for each sentence is \$26,677 based on an average length of stay of 8 months and 12 days.

LD 372 An Act To Strengthen the Crime of Gross Sexual Assault as It Pertains to Persons Who Furnish Drugs to Victims Who Are 14 or 15 Years of Age

Sponsor: Sen. Nutting, J. of Androscoggin
Committee: Criminal Justice and Public Safety

Law Ref.:

House Status: ENACTED

Sort: F

Active Item: 3

Senate Status: APPROP. TABLE

Motion:

Engrosser: Yes

Fiscal Note Summary: Current biennium cost increase - General Fund
Minor revenue increase - General Fund

Correctional/Judicial Impact: Establishes new Class B crimes; increases correctional and judicial costs. Sentences of more than nine months must be served in state correctional facilities. The average cost to the state for each sentence is \$98,327 based on an average length of stay of 2 years 7 months. Sentences of nine months or less imposed for a Class B crime must be served in county jails. The average cost to a county for each sentence is \$26,677 based on an average length of stay of 8 months and 12 days. The collection of additional fines may also increase General Fund revenue by minor amounts.

LD 424 An Act To Protect Children from Dangerous Drugs, Harmful Chemicals and Drug-related Violence

Sponsor: Rep. Cleary of Houlton
Committee: Criminal Justice and Public Safety

Law Ref.:

House Status: ENACTED

Sort: F

Active Item: 3

Senate Status: APPROP. TABLE

Motion:

Engrosser: Yes

Fiscal Note Summary: Current biennium cost increase - General Fund
Minor revenue increase - General Fund

Correctional/Judicial Impact: Establishes new Class A crimes; increases correctional and judicial costs. The collection of additional fines may also increase General Fund revenue by minor amounts.

LD 676 An Act To Implement the Recommendations of the Task Force To Study Maine's Homeland Security Needs

Sponsor:
Committee: Criminal Justice and Public Safety

Law Ref.:

House Status: EMER ENACTED

Sort: A

Active Item: 4

Senate Status: APPROP. TABLE

Motion:

Engrosser: Yes

General Fund	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$64,100	\$36,600	\$36,600	\$36,600
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$64,100	\$36,600	\$36,600	\$36,600

LD 1240 An Act To Implement the Recommendations of the Criminal Law Advisory Commission

Sponsor: Law Ref.:
Committee: Criminal Justice and Public Safety
House Status: ENACTED Sort: F Active Item: 3
Senate Status: APPROP. TABLE Motion: Engrosser: Yes

Fiscal Note Summary: Current biennium cost increase - General Fund
County jail savings

Correctional/Judicial Impact: The bill elevates the crime of theft by extortion from a Class C crime to a Class B crime. Based on the present average length of stay for a Class C and Class B sentence, the average length of stay of each sentence is projected to increase by 14 months at an increased cost to the Department of Corrections of \$44,476 for each sentence. It also increases criminal penalties for fraud in home repairs by elevating certain Class D crimes to Class C crimes and Class C crimes to Class B crimes. This will increase the state prisoner population and lengths of stay, resulting in increased costs to the Department of Corrections. It will also shift prisoner population from county jail sentences to the state correctional system. The county jail system is projected to save an estimated \$6,795 for each inmate shifted to the state correctional system.

LD 1241 An Act To Provide Uniform Treatment of Prior Convictions in the Maine Criminal Code

Sponsor: Law Ref.:
Committee: Criminal Justice and Public Safety
House Status: ENACTED Sort: F Active Item: 3
Senate Status: APPROP. TABLE Motion: Engrosser: Yes

Fiscal Note Summary: Current biennium cost increase - General Fund

Correctional/Judicial Impact: Increases the conditions under which certain Class A, B, C and D crimes occur; increases correctional and judicial costs. This legislation amends various Class A, B, C and D crimes and sentencing provisions by allowing prior convictions in other jurisdictions to be considered in sentencing. It also modifies the statutes to clarify that prior convictions uniformly include Maine convictions as well as convictions in other jurisdictions.

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

Sponsor: Sen. Bartlett of Cumberland Law Ref.:
Committee: Criminal Justice and Public Safety
House Status: ENG AS AMENDED BY Sort: F Active Item: 2
Senate Status: ENG AS AMENDED BY Motion: Engrosser: No

Fiscal Note Summary: Current biennium cost increase - General Fund

Correctional/Judicial Impact: Extends the statute of limitation from 6 years to 10 years for gross sexual assault by a juvenile. Will result in additional juvenile Class A, B or C crimes and increased correctional and judicial costs.

LD 1627 An Act To Protect Families and Enhance Public Safety by Making Domestic Violence a Crime

Sponsor: President Edmonds of Cumberland Law Ref.:
Committee: Criminal Justice and Public Safety
House Status: ENACTED Sort: F Active Item: 4
Senate Status: APPROP. TABLE Motion: Engrosser: Yes

Fiscal Note Summary: Current biennium cost increase - General Fund
Increase in county jail costs

Correctional/Judicial Impact: This bill establishes new Class C and D crimes of domestic violence. Sentences of more than nine months imposed for Class C crimes must be served in state correctional facilities. The average cost to the state for each sentence is \$70,308 based on an average length of stay of 1 year, 10 months. Sentences of nine months or less imposed for a Class C crime must be served in county jails. The average cost to a county for each sentence is \$19,947 based on an average length of stay of 6 months and 2 days. Also, Class D sentences must be served in county jails. The Judicial Department has indicated that defendants are currently charged under other assault statutes and the change in caseload is expected to minor.

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: 3
 Engrosser: Yes

Fiscal Note Summary: Current biennium cost increase - General Fund
 Minor revenue increase - General Fund

Correctional/Judicial Impact: Establishes new Class C crimes; increases correctional and judicial costs.
 The collection of additional fines may also increase General Fund revenue by minor amounts.

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: A
 Motion:

Active Item: 3
 Engrosser: Yes

Fiscal Note Summary: Current biennium cost increase - General Fund

Correctional/Judicial Impact: This legislation expands the scope of prohibited conduct and aggravating factors of an offense as it relates to a Class D crime, elevating it to a Class C crime if the actor has prior convictions. This will increase the average length of stay by 1 year and 4 months (486 days) and must be served in a state correctional facility. The average increased cost to the state for each occurrence is \$50,165. The Judicial Department indicates that increasing minimum sentences by "assigning special weight " could require additional judicial resources for processing these cases. However, this bill could also prevent escalating violence and result in a reduction of trial days and needed resources. The net effect should be minimal on the Judicial Department.

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: 3
 Engrosser: Yes

Fiscal Note Summary: Current 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. Prior to age 18 the time will be served in a juvenile facility. Once the juvenile reaches 18 the remaining time will be served at an adult correctional facility. A juvenile facility costs \$343.37 per day more than an adult facility, or \$125,330 more per year. This type of sentence occurs once every two years which implies an annualized cost of \$62,665 to the system if, on average, an offender turns 17 at the time the sentence begins.

Report Totals

Number of Bills: 17

General Fund Totals	2006-07	2007-08	2008-09	2009-10	2010-11
Appropriations	\$0	\$64,100	\$36,600	\$36,600	\$36,600
Revenue	\$0	\$0	\$0	\$0	\$0
Transfers/Adj. to Balance	\$0	\$0	\$0	\$0	\$0
Net Cost (Savings)	\$0	\$64,100	\$36,600	\$36,600	\$36,600