

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

**'An Act To Amend the Laws Relating to Probation  
and Supervised Release for Sex Offenders and To  
Make Necessary Changes to the Maine Criminal Code'**

Amend the bill in section 3 in subsection 10 in the 3rd line (page 1, line 30 in L.D.) by striking out the following: "serve" and inserting the following: 'served'

Amend the bill by striking out all of section 6 and inserting the following:

'**Sec. 6. 17-A MRSA §1349, sub-§1, ¶A,** as enacted by PL 2003, c. 711, Pt. A, §19, is repealed.

**Sec. 7. 17-A MRSA §1349-A, sub-§1,** as enacted by PL 2003, c. 711, Pt. A, §19, is amended to read:

**1.** A person who has been convicted of a Class D or Class E crime or the Class C crime under Title 29-A, former section 2557, section 2557-A or section 2558 may be placed on administrative release for a period not to exceed one year.

**Sec. 8. 17-A MRSA §1349-B, sub-§2,** as enacted by PL 2003, c. 711, Pt. A, §19, is amended to read:

**2.** The court may sentence a person to a fine, not to exceed the maximum fine authorized for the Class D or Class E crime or the Class C crime under Title 29-A, former section 2557, section 2557-A or section 2558, suspend the fine in whole or in part and accompany the suspension with a period of administrative release not to exceed the one year authorized under section 1349-A, subsection 1.'

Amend the bill in section 8 in paragraph A in the 7th line (page 2, line 38 in L.D.) by striking out the following: "board or the Attorney General" and inserting the following: 'board, or the Attorney General or the district attorney'

Amend the bill by striking out all of section 9.

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

## SUMMARY

Because current law authorizes sentencing alternatives of both a fine and imprisonment followed by administrative release, this amendment repeals unnecessary language in the Maine Revised Statutes, Title 17-A, section 1349. The amendment also amends Title 17-A, section 1349-A, subsection 1 and section 1349-B, subsection 2 to be consistent with regard to authorizing the use of administrative release for Class C operating after habitual offender revocation and aggravated operating after habitual offender

revocation. The amendment adds district attorneys to the list of those who may show pharmacy records to law enforcement officers other than those listed. Finally, the amendment strikes from the bill the provision granting probation officers the power to arrest for obstruction of government administration while they are performing their official duties.