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Date: (Filing No. H-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1450, L.D. 2161, “An Act to Modify Certain Statutes Governing Revocation of Probation, Victim Confidentiality and the Commissioner of Corrections”

Amend the bill in section 1 in subsection 2 in the last line (page 1, line 12 in L.D.) by inserting after the following: "attorney." the following: 'If the request to withdraw the motion is made by the probation officer, the request must state the position of the prosecuting attorney regarding that request.'

Amend the bill in section 2 in subsection 1 in the last line (page 1, line 19 in L.D.) by inserting after the following: "attorney." the following: 'If the request to withdraw the motion is made by the probation officer, the request must state the position of the prosecuting attorney regarding that request.'

Amend the bill in section 3 in subsection 1 in the 5th line (page 1, line 26 in L.D.) by inserting after the following: "attorney." the following: 'If the motion to transfer the hearing to another court is filed by the probation officer, the motion must state the position of the prosecuting attorney at the time of the motion regarding the motion and, if applicable, the prosecuting attorney receiving the transfer.'

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

SUMMARY

This amendment clarifies that if a probation officer withdraws a motion to revoke probation, the probation officer must include in the request to withdraw the position of the prosecuting attorney regarding that request. The amendment also clarifies that if a motion to transfer a probation revocation hearing to another court is filed by a probation officer, the motion must state the position of the prosecuting attorney at the time of the motion and the prosecuting attorney receiving the transfer.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT