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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 696, L.D. 1074, “An Act to Remove the Limit on the Length of Probation That May Be Served for Aggravated Attempted Murder”

Amend the bill by inserting before section 1 the following:

'Sec. 1. 17-A MRSA §152-A, sub-§2, as amended by PL 2019, c. 113, Pt. C, §58, is further amended to read:

2. Aggravated attempted murder is a Class A crime except that, notwithstanding section 1604, subsection 1, paragraph A, the sentence for aggravated attempted murder is imprisonment for life or a definite period of imprisonment for any term of years. The existence of an aggravating circumstance serves only as a precondition for the court to consider a life sentence. The court also may impose as part of the sentence a period of probation of any term of years pursuant to section 1804, subsection 4-A.'

Amend the bill by inserting after section 1 the following:

'Sec. 2. 17-A MRSA §1804, sub-§4, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

4. Exception to limits when person sentenced as repeat sexual assault offender. The period of probation for a person sentenced as a repeat sexual assault offender pursuant to section 253-A, subsection 1 is may be any term of years.'

Amend the bill in section 2 in subsection 4-A in the last line (page 1, line 13 in L.D.) by striking out the following: "is" and inserting the following: 'may be'

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

SUMMARY

This amendment clarifies that the period of probation for a sentence for aggravated attempted murder is a maximum of any term of years, not a mandatory sentence. This amendment also makes other technical changes to make similar language consistent.