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Date: (Filing No. S- )

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
SENATE  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 453, L.D. 1119, “An Act to Clarify the Criminal Statutes with Regard to Assaults on Emergency Medical Services Persons”

Amend the bill in section 1 in §752-C in subsection 1 in the 3rd line (page 1, line 7 in L.D.) by striking out the following: "section 82" and inserting the following: 'chapter 2-B'

Amend the bill in section 2 in §752-F in subsection 2 in the first line (page 1, line 21 in L.D.) by striking out the following: "C" and inserting the following: 'D'

Amend the bill by inserting after section 3 the following:

'Sec. 4. 17-A MRSA §1804, sub-§13 is enacted to read:

**13. Exception to limits when person convicted of assault in an emergency room.**  
If the State pleads and proves that a person was convicted of the crime of assault in an emergency room under section 752-F, the person may be placed on probation for a period not to exceed 2 years, except that, on motion by the person's probation officer, the person or the court, the term of probation must be terminated by the court when the court determines that the person has:

- A. Served at least one year of probation;
- B. Paid in full any victim restitution ordered; and
- C. From the time the period of probation commenced until the motion for termination is heard, met all other conditions of probation.'

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

**SUMMARY**

This amendment, which is the minority report of the committee, does the following:

1. It makes a technical change providing that an emergency medical services person is one who is licensed under the Maine Revised Statutes, Title 32, chapter 2-B;

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2. It changes the class of crime for assault in an emergency room from a Class C crime to a Class D crime; and

3. It specifies that a person convicted of assault in an emergency room can be placed on probation for a term not to exceed 2 years. This 2-year term may be lessened to a minimum of one year of probation on motion by the person's probation officer, the person or the court if the court determines that the person had paid any victim restitution ordered in full and the person has, since being placed on probation, met all other conditions of probation.

**FISCAL NOTE REQUIRED**  
**(See attached)**