

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 359

H. P. 281

House of Representatives, February 6, 1979

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hughes of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Clarify the Law Relating to the Maine Criminal Justice Sentencing Institute.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 4 MRSA § 454, first ¶, as amended by PL 1975, c. 650, is further amended to read:

There is established a Maine Criminal Justice Sentencing Institute under the administrative supervision of the State Court Administrator to provide a continuing forum for the regular discussion ~~by criminal judges, prosecutors, law enforcement and correctional personnel~~ of the most appropriate methods of sentencing convicted offenders **by judges in the criminal justice system, prosecutors, law enforcement and correctional personnel and such representatives of the defense bar as the chairman of the Judicial Council may invite.** All **Supreme Judicial Court, Superior Court and, District Court and Administrative Court** Judges, all District Attorneys and attorneys within the Criminal Division of the Office of the Attorney General, and such other criminal justice personnel as the Judicial Council may authorize shall be members of the institute.

Sec. 2. 4 MRSA § 454, 2nd ¶, as enacted by PL 1975, c. 610, § 1, is amended to read:

The institute shall meet ~~annually~~ **not less frequently than once every 3 years**, at the call of the Judicial Council, for a 2-day period ~~within an existing state correctional facility~~ to discuss recommendations for changes in the sentencing authority and policies of the state's criminal courts, in response to current law enforcement problems and the available alternatives for criminal rehabilitation within the state's correctional system. Inasmuch as possible the deliberations of the institute shall be open to the general public, and all Superior Court ~~and~~, District Court **and Administrative Court** Judges appointed since the last convening of the institute shall be required to attend.

STATEMENT OF FACT

The purpose of this bill is to recognize the impracticality of convening the Maine Criminal Justice Sentencing Institute within a correctional facility and to otherwise reflect the experience gained in the 1977 and 1978 institutes.