

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
101st LEGISLATURE

COMMITTEE AMENDMENT "A" to S. P. 316, L. D. 982, Bill, "An Act Relating to Habeas Corpus and Post Conviction Procedure in Criminal Cases."

Amend said Bill by striking out all of the first underlined sentence of the 2nd paragraph of that part designated "Sec. 1-A." of section 1 and inserting in place thereof the following underlined sentence:

'The remedy of habeas corpus provided in sections 1-A to 1-G is not a substitute for nor does it affect any remedies which are incidental to the proceedings in the trial court, or any remedy of direct review of the sentence or conviction but, except as otherwise provided in sections 1-A to 1-G, it comprehends and takes the place of all other common law remedies which have heretofore been available for challenging the validity of a conviction and sentence and shall be used exclusively in lieu thereof.'

Further amend said Bill by striking out all of the 3rd underlined sentence of that part designated "Sec. 1-B." of section 1 and inserting in place thereof the following underlined sentences:

'The clerk shall enter the petition on the docket upon its receipt and bring it forthwith to the attention of the Chief Justice of the Supreme Judicial Court and to the Attorney General by sending to each of them a copy of the petition. The Chief Justice shall promptly assign the matter to a Justice of the Superior or Supreme Judicial Courts.'

Further amend said Bill in that part designated "Sec. 1-F." of section 1 by inserting before the underlined word "Constitution" in the 4th line the underlined words 'State or Federal'

Reported by Committee on JUDICIARY

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