

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
NEW DRAFT OF : S. P. 329, L. D. 863

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ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 1716**

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S. P. 686

In Senate, June 13, 1967

Report by Majority of Committee on Judiciary. Printed under Joint Rules  
No. 18.

JERROLD B. SPEERS, Secretary

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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**AN ACT Providing for a Study for the Creation of a Full-time Prosecuting  
Attorney System for the State of Maine.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, crime has increased in Maine as well as other sections of the United States; and

Whereas, there is an immediate need for a completely revised and full-time prosecuting system to cope with the increase in crime; and

Whereas, the following legislation is vitally necessary to properly service the criminal business of both the Superior Courts and the District Courts; and

Whereas, recent Supreme Court Decisions make it advisable to also study Maine's juvenile offender laws to insure compliance with the U. S. Constitution; and

Whereas, it has been deemed wise to also study in depth present statutes in relation to trial and sentencing and criminal responsibility in relation to The Model Sentencing Act; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. Commission authorized to study.** The Maine Planning Commission on Criminal Law Administration is authorized to study the desirability and feasibility of a full-time prosecuting attorney system.

The commission is authorized to employ such expert and professional advisors and counsel as in its judgment it may deem necessary within the limits of funds provided.

In addition, the commission shall initiate and carry on a study of the juvenile offender laws and comparison of present statutes with The Model Sentencing Act.

The commission shall file a report of its findings with the 104th Legislature, or with any special session of the 103rd Legislature, together with its recommendations and proposed drafts of recommended legislation.

**Sec. 2. Appropriation.** The sum of \$40,000 is appropriated from the Unappropriated Surplus of the General Fund to carry out the purposes of this Act and any balance of this fund as of June 30, 1968 shall not lapse but shall be carried forward to be used for the same purpose until June 30, 1969.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.