

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
105TH LEGISLATURE

SENATE AMENDMENT " A " to H. P. 1211, L. D. 1658, Bill, "AN ACT to Create a Commission to Prepare a Revision of the Criminal Laws."

Amend said Bill by striking out all of sections 2 and 3 and inserting in place thereof the following:

Sec. 2. Membership. The membership of the commission shall consist of not less than 11 nor more than 14 persons. The Governor shall appoint the members of the commission as follows: Four members shall be members of the bar, 2 of whom shall have been active in the trial of criminal cases. Two members shall be from the field of mental health and corrections, one of whom shall be the Warden of the Maine State Prison. At least 4 shall be qualified by reason of common sense and broad experience in everyday affairs, as representative of the public, which may include persons within the foregoing categories. The Governor shall designate 4 consultants to the commission, who shall be active or retired members of the judiciary, at least one of whom shall be a member of the Supreme Judicial Court and one member shall be from the Superior Court. The Attorney General shall be a member of the commission ex officio. Members shall serve for a term of 2 years and may be reappointed by the Governor. In the event of the death or resignation of any member, the vacancy for his unexpired term shall be filled by the Governor. Eight members of the commission shall constitute a quorum.

Sec. 3. Meetings. The said commission shall be appointed promptly upon enactment hereof, and the Governor shall notify all members of the time and place of the first meeting. At that time the commission shall organize, elect a chairman, vice-chairman and secretary-treasurer, adopt rules as to the administration of the commission and its affairs. The

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commission shall maintain minutes of its meetings and such financial records as may be required by the State Auditor and shall report periodically its progress to the Governor.'

Further amend said Bill in section 7 by striking out in the 2nd line (same in L. D.) the figure "\$20,000" and inserting in place thereof the figure '\$10,000'

Statement of Fact

The purpose of this amendment is to reorganize the membership of the commission, to provide consultants for the commission, to add the Attorney General as a member of the commission, and to reduce the appropriation to \$10,000. Due to constitutional questions it is the intent of this amendment to place the appointive power with the Governor rather than the Chief Justice as in the original bill.

Proposed by Senator:

(~~Sewall~~)

NAME:

COUNTY: Penobscot

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Bill # 296

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