

MAINE STATE LEGISLATURE

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JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1384, L.D. 1938, "Resolve, Directing the Preparation of a Bill to Make Nonsubstantive Changes to the State's Criminal Statutes"

Amend the resolve by striking out the title and substituting the following:

'Resolve, Directing the Preparation of a Bill to Make Technical Changes to the State's Criminal Statutes'

Further amend the resolve by striking out all of section 2 (page 1, lines 44 to 50 and page 2, lines 1 to 4 in L.D.) and inserting in its place the following:

'Sec. 2. Membership; staffing. Resolved: That the Chief Judge of the District Court shall act as chair of the task force. The MCJUSTIS Board shall appoint such other members to the task force as are necessary to accomplish its work. The Department of Public Safety, the Department of the Attorney General and the Judicial Department shall provide staffing assistance to the task force. The Legislative Council shall provide assistance to draft legislation. Other Executive Department agencies shall provide advice and technical assistance as requested by the task force, and other state agencies may be requested to provide advice and technical assistance as well; and be it further'

Further amend the resolve by striking out all of section 4 (page 2, lines 10 to 15 in L.D.) and inserting in its place the following:

'Sec. 4. Reports. Resolved: That the MCJUSTIS Board shall submit a final report and proposed legislation to the joint standing committee of the Legislature having jurisdiction over criminal justice matters, with regard to issues pertaining to the

COMMITTEE AMENDMENT

2 Maine Criminal Code, and to the joint standing committee of the
Legislature having jurisdiction over judiciary matters regarding
4 all other issues by January 1, 1999. The proposed legislation
must accomplish the purpose of this resolve without making
6 additional substantive changes to the Maine Revised Statutes.
Each committee may report out additional legislation related to
the report.'

8
Further amend the resolve by inserting at the end before the
10 summary the following:

12
FISCAL NOTE

14
Costs associated with staffing a task force to review the
16 State's criminal statutes and report to specific legislative
committees can be absorbed by the Department of Public Safety,
18 the Department of the Attorney General, the Department of
Corrections and the Judicial Department utilizing existing
20 budgeted resources. The Legislature can absorb the cost of
providing drafting assistance to the task force within existing
22 budgeted resources. Members of the task force are required to
serve voluntarily without any compensation.'

24
26
SUMMARY

28
This amendment clarifies that the Legislative Council will
30 provide assistance to the task force in the form of assistance in
drafting legislation.

32
This amendment requires the report to be made to the joint
34 standing committee of the Legislature having jurisdiction over
criminal justice matters, with regard to issues pertaining to the
36 Maine Criminal Code, and the joint standing committee of the
Legislature having jurisdiction over judiciary matters for all
38 other issues. It authorizes each committee to report out
additional legislation related to the task force report. This
40 will allow the committees to vote on substantive changes related
to the recommendations.