

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
119TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1906, L.D. 2651, "Resolve, to Establish the Commission to Study Domestic Violence"

Amend the amendment by striking out everything after the title and before the summary and inserting in its place the following:

'Amend the resolve by striking out everything after the emergency preamble and before the emergency clause and inserting in its place the following:

'Sec. 1. Commission established. Resolved: That the Commission to Study Domestic Violence, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of the following members:

1. Two members of the Senate, appointed by the President of the Senate. When making the appointments, the President shall give preference to members of the Joint Standing Committee on Criminal Justice and the Joint Standing Committee on Judiciary;

2. Three members of the House of Representatives, appointed by the Speaker of the House. When making the appointments, the Speaker shall give preference to members of the Joint Standing Committee on Criminal Justice and the Joint Standing Committee on Judiciary;

SENATE AMENDMENT

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1906,
L.D. 2651

2 3. One member of the Maine Association of Clerks of Courts
who works in the District Court, selected by that association;

4 4. One member of the Maine Sheriffs Association, selected
by that association;

6 5. One member of the Maine Chiefs of Police Association,
8 selected by that association;

10 6. The President of the Maine Association of Criminal
12 Defense Lawyers, or the president's designee;

14 7. The President of the Maine Prosecutors Association, or
the president's designee;

16 8. The Director of the Maine Coalition to End Domestic
18 Violence, or the director's designee;

20 9. A survivor of domestic violence, appointed by the
President of the Senate;

22 10. The Chair of the Maine Commission on Domestic Abuse, or
24 the chair's designee;

26 11. The Victims Service Coordinator for the Department of
Corrections;

28 12. The chair of the Maine Association of Batterers
30 Intervention Programs or the chair's designee;

32 13. One member of the Department of Corrections, Division
of Probation and Parole, appointed by the Commissioner of
34 Corrections;

36 14. The Chief of the State Police or the chief's designee;

38 15. The Commissioner of Human Services or the
commissioner's designee; and

40 16. The Attorney General or the Attorney General's designee.

42 The commission shall ask the Chief Justice of the Supreme
44 Judicial Court to designate a judge or retired judge from the
District Court to serve on the commission as a voting member.
46 Members who are Legislators may serve only while Legislators. If
48 necessary, the President of the Senate and Speaker of the House
shall appoint new legislative members; and be it further

50 **Sec. 3. Chairs. Resolved:** That the first named Senate member
is the Senate chair of the commission and the first named

House of Representatives member is the House chair of the
commission; and be it further

Sec. 4. Appointments; meetings. Resolved: That all
appointments must be made no later than 30 days following the
effective date of this resolve. The appointing authorities shall
notify the Executive Director of the Legislative Council upon
making their appointments. When the appointment of all members
is complete, the chairs of the commission shall call and convene
the first meeting of the commission no later than 30 days after
all appointments have been made. The commission may hold up to 8
meetings; and be it further

Sec. 5. Duties. Resolved: That the commission shall invite the
participation of experts and interested parties, gather
information and request necessary data from public and private
entities in order to study the problem of domestic violence and
determine methods of alleviating this problem, including, but not
limited to:

1. Strengthening protection from abuse orders, including
improving communication between the courts, law enforcement and
other appropriate government agencies regarding notice and
verification of protection from abuse orders;

2. Increasing enforcement of probation and bail conditions;
and

3. Examining the handling of all aspects of domestic
violence cases from investigation to prosecution to movement
through the court system; and be it further

Sec. 6. Staff assistance. Resolved: That, upon approval of the
Legislative Council, the Office of Policy and Legal Analysis
shall provide necessary staffing services to the commission. If
requested by the commission, the Department of Public Safety, the
Department of Corrections and the Office of the Attorney General
also shall provide assistance; and be it further

Sec. 7. Compensation. Resolved: That the members of the
commission who are Legislators are entitled to the legislative
per diem, as defined in the Maine Revised Statutes, Title 3,
section 2, and reimbursement for necessary expenses incurred for
their attendance at authorized meetings of the commission. Other
members of the commission who are not otherwise compensated by
their employers or other entities that they represent are
entitled to receive reimbursement of necessary expenses incurred
for their attendance at authorized meetings; and be it further

2 **Sec. 8. Report. Resolved:** That the commission shall submit
 its report, together with any necessary implementing legislation,
 4 to the joint standing committee of the Legislature having
 jurisdiction over criminal justice matters no later than December
 6 5, 2001. The joint standing committee of the Legislature having
 jurisdiction over criminal justice matters may introduce a bill
 8 during the Second Regular Session of the 120th Legislature. If
 the commission requires a limited extension of time to conclude
 10 its work, it may apply to the Legislative Council, which may
 grant the extension; and be it further

12 **Sec. 9. Budget. Resolved:** That the chairs of the commission,
 with assistance from the commission staff, shall administer the
 14 commission's budget. Within 10 days after its first meeting, the
 commission shall present a work plan and proposed budget to the
 16 Legislative Council for approval. The commission may not incur
 18 expenses that would result in the commission exceeding its
 approved budget. Upon request from the commission, the Executive
 20 Director of the Legislative Council shall promptly provide the
 commission chairs and staff with a status report on the
 22 commission's budget, expenditures incurred and paid and available
 funds; and be it further

24 **Sec. 10. Appropriation. Resolved:** That the following funds are
 26 appropriated from the General Fund to carry out the purposes of
 this resolve.

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2000-01

LEGISLATURE

**Commission to Study Domestic
 Violence**

Personal Services	\$1,100
All Other	1,000

Provides funds for the per
 diem and expenses of
 legislative members of the
 Commission to Study Domestic
 Violence.

**LEGISLATURE
 TOTAL**

\$2,100' '

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FISCAL NOTE

This amendment reduces the General Fund cost of the resolve by \$1,800 in fiscal year 2000-01.

As amended, this resolve includes a General Fund appropriation of \$2,100 in fiscal year 2000-01 for the Legislature for the per diem and expenses of legislative members of the Commission to Study Domestic Violence. The estimated future costs in fiscal year 2001-02 will be approximately \$2,600 and include the costs to print the required report.

The additional costs associated with the payment of expenses to members of the commission not otherwise compensated by their employers can be absorbed by the Legislature utilizing existing budgeted resources.

SUMMARY

This amendment adds the Commissioner of Human Services or the commissioner's designee to the membership of the commission and requires the President of the Senate and the Speaker of the House to give preference to members of the Joint Standing Committee on Criminal Justice and the Joint Standing Committee on Judiciary when making appointments to the commission.

SPONSORED BY: *Michael H. Michaud*
(Senator MICHAUD)
JB

COUNTY: Penobscot