

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 870

H.P. 670

House of Representatives, February 15, 2001

Resolve, Establishing a Commission to Study the Laws Governing the Sentencing of a Person Convicted of a Crime Involving a Child.

Reference to the Committee on Criminal Justice suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative TRAHAN of Waldoboro.
Cosponsored by Senator KILKELLY of Lincoln and
Representatives: HONEY of Boothbay, MAYO of Bath, McNEIL of Rockland, O'BRIEN of
Augusta, SNOWE-MELLO of Poland, Senators: NUTTING of Androscoggin, SAVAGE of
Knox, SMALL of Sagadahoc.

2 **Sec. 1. Commission established. Resolved:** That the Commission
to Study the Law Governing the Sentencing of a Person Convicted
4 of a Crime Involving a Child, referred to in this resolve as the
"commission," is established; and be it further

6 **Sec. 2. Commission membership. Resolved:** That the commission
consists of the following 5 members:

8
10 1. Three members of the Legislature, appointed jointly by
the presiding President of the Senate and the Speaker of the
12 House. When making the appointments, the presiding President and
the Speaker shall give preference to one member from each of the
14 following committees: The Joint Standing Committee on Criminal
Justice; the Joint Standing Committee on Judiciary; and the Joint
Standing Committee on Health and Human Services;

16 2. The Attorney General or the Attorney General's designee;
18 and

20 3. The Chief of the State Police or the chief's designee;
and be it further

22 **Sec. 3. Chairs. Resolved:** That the commission shall elect a
24 chair from among its members at the first commission meeting; and
be it further

26 **Sec. 4. Appointments; meetings. Resolved:** That all
28 appointments must be made no later than 15 days following the
effective date of this resolve. The appointing authorities shall
30 notify the Executive Director of the Legislative Council once all
appointments have been made. The first meeting must be called by
32 the Chair of the Legislative Council no later than 15 days after
the appointments have been made; and be it further

34 **Sec. 5. Duties. Resolved:** That the commission shall conduct a
36 comprehensive review of state laws nationwide pertaining to
penalties imposed for crimes against children, the effectiveness
38 of those penalties and the need, if any, for the State to modify
its current sentencing guidelines for crimes committed against
40 children; and be it further

42 **Sec. 6. Staff assistance. Resolved:** That the commission shall
request staffing and clerical assistance from the Legislative
44 Council; and be it further

46 **Sec. 7. Compensation; budget. Resolved:** That the members of
the commission who are Legislators are entitled to the
48 legislative per diem, as defined in the Maine Revised Statutes,
Title 3, section 2, and reimbursement for travel and other
50 necessary expenses for attendance at authorized meetings of the

commission. The Executive Director of the Legislative Council
2 shall administer the commission's budget; and be it further

4 **Sec. 8. Report. Resolved:** That the commission shall submit a
final report along with any recommended legislation to the Second
6 Regular Session of the 120th Legislature. The final report must
be submitted no later than November 1, 2001. If the commission
8 requires an extension of time to make its report, it may apply to
the Legislative Council, which may grant the extension.

10
12 **SUMMARY**

14 This resolve establishes the Commission to Study the Laws
Governing the Sentencing of a Person Convicted of a Crime
16 Involving a Child.