

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 827, L.D. 1081, Bill, "An Act to Adopt a New Interstate Compact Regarding Adults Who are on Probation or Parole"

Amend the bill in section 1 in that part designated "~~§9874.~~" by inserting after the first indented paragraph the following:

'The state council shall submit the rules of the interstate commission for review as required by section 9878, subsection 7.'

Further amend the bill in section 1 in that part designated "~~§9875.~~" in subsection 2 in the 2nd line (page 4, line 18 in L.D.) by striking out the following: "statutory"

Further amend the bill in section 1 in that part designated "~~§9878.~~" by inserting after subsection 6 the following:

'7. Major substantive rule review. Rules adopted by the interstate commission must be considered major substantive rules as defined in Title 5, chapter 375, subchapter II-A for the purposes of review by the Legislature and the application of the rules to this State. The state council under section 9874 shall act as an agency under Title 5, section 8072 with regard to submission of the rules and accompanying materials to the joint standing committee of the Legislature having jurisdiction over criminal justice matters. The rules do not apply to this State until the Legislature acts to approve the rules.'

HOUSE AMENDMENT "A" to H.P. 827, L.D. 1081

Further amend the bill in section 1 in that part designated "~~§9884.~~" in subsection 1 by striking out all of the last sentence (page 16, lines 28 to 30 in L.D.)

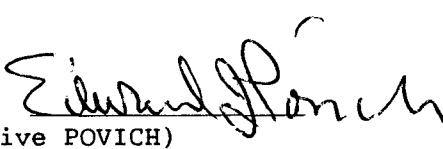
Further amend the bill in section 1 in that part designated "~~§9884.~~" in subsection 2 in the 2nd blocked paragraph in the 4th and 5th lines (page 16, lines 48 and 49 in L.D.) by striking out the following: "ineffective. The" and inserting in its place the following: 'ineffective and such'

Further amend the bill in section 1 in that part designated "~~§9884.~~" in subsection 2 in the 2nd blocked paragraph in the 6th line (page 16, line 50 in L.D.) by striking out the following: "are" and inserting in its place the following: 'must be'

Further amend the bill in section 1 in that part designated "~~§9884.~~" in subsection 2 in the 2nd blocked paragraph in the 7th line (page 17, line 1 in L.D.) by striking out the following: "states" and inserting in its place the following: 'state'

## SUMMARY

This amendment clarifies that the rules adopted by the Interstate Commission for Adult Offender Supervision are not considered to have the force and effect of statutory law and do not supersede any laws of the State that are in conflict with the rules. This amendment also requires that the interstate commission's rules be treated as major substantive rules and that the state council created in this State submit the interstate commission's rules to the joint standing committee of the Legislature having jurisdiction over criminal justice matters. The rules do not apply to this State until the Legislature acts to approve the rules.

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(Representative POVICH)

TOWN: Ellsworth