

MAINE STATE LEGISLATURE

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Date 6/21/23

(Filing No S-389)

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STATE OF MAINE
SENATE
131ST LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S P 297, L D 739, "RESOLUTION, Proposing an Amendment to the Constitution of Maine to Empower the Legislature to Allow the Expungement or Sealing of Certain Criminal Records"

Amend the resolution by striking out all of that part designated "Constitution, Art. IV, Pt. Third, §24" (page 1, lines 4 to 9 in L D) and inserting the following

'Constitution, Art. IV, Pt. Third, §24 is enacted to read

Section 24. Power to expunge or seal criminal records. The Legislature may enact laws to allow for the expungement or sealing of a criminal record at a time and in a manner the Legislature determines to be appropriate following the completion of a sentence served by a person convicted of certain crimes, as the Legislature considers best to rehabilitate convicted persons, protect the public safety and advance restorative justice. The expungement or sealing of a criminal record does not interfere with the Governor's power to remit after conviction all forfeitures and penalties and to grant reprieves, commutations and pardons under Article V, Part First, Section 11.'

Amend the resolution by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

SUMMARY

This amendment specifies that the Legislature may enact laws to allow for the expungement or sealing of a criminal record at a time and in a manner the Legislature determines appropriate. The amendment also distinguishes the expungement or sealing from the Governor's powers under Article V, Part First, Section 11 of the Constitution of Maine

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 739

LR 2120(02)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Empower the Legislature to Allow the Expungement or Sealing of Certain Criminal Records

Fiscal Note for Bill as Amended by Committee Amendment "A(S-389)"
Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - General Fund

Referendum Costs	Month/Year	Election Type	Question	Length
	Nov-23	General	Referendum	Standard

The Secretary of State's budget includes sufficient funds to accommodate one ballot of average length for the general election in November. If the number or size of the referendum questions requires production and delivery of a second ballot, an additional appropriation of \$172,000 may be required.