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Date: (Filing No. S-)

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STATE OF MAINE
SENATE
126TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT “ ” to S.P. 31, Order, “Joint Order Authorizing the Establishment of the Criminal Code Revision Commission”

Amend the order by striking out everything and inserting in its place the following:

ORDERED, the House concurring, that the Criminal Code Revision Planning Committee is established. By March 1, 2014, the Criminal Code Revision Planning Committee shall submit legislation to the Second Regular Session of the 126th Legislature to establish the Criminal Code Revision Commission, for the purpose of reviewing, revising, unifying, recodifying and consolidating the State's criminal laws, including, but not limited to, the Maine Criminal Code. The Criminal Code Revision Planning Committee includes: Three members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature, one each from the Joint Standing Committee on Criminal Justice and Public Safety, the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Judiciary; and 3 members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature, one each from the Joint Standing Committee on Criminal Justice and Public Safety, the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Judiciary. The President of the Senate and the Speaker of the House shall also invite the following to participate as members: the President of the Maine Association of Criminal Defense Lawyers, or a designee; the President of the Maine Prosecutors Association, or a designee; an active or retired judge; the Executive Director of the Maine Civil Liberties Union, or a designee; a victim advocate; and an expert on corrections matters. In developing the legislation and defining the duties of the Criminal Code Revision Commission, the Criminal Code Revision Planning Committee shall consider:

- 1. Examining all sections of the Maine Criminal Code and all criminal statutes not contained in the Maine Criminal Code;
- 2. Evaluating the operation of the Maine Criminal Code in an effort to revise the Maine Criminal Code as necessary to ensure clarity, consistency, generalization in defining prohibited conduct, proportionality of the penalties and punishments to the offense and equity in sentencing, and recommending amendments to the Maine Criminal

SENATE AMENDMENT

1 Code based on the evaluation and amendments to those criminal statutes not contained in
2 the Maine Criminal Code; and

3 3. Examining any other aspects of the State's criminal laws that may be relevant,
4 including substantive, procedural and administrative matters.

5 The legislation must provide that the Criminal Code Revision Commission may
6 accept federal and other grants to carry out its responsibilities.'

7 **SUMMARY**

8 This amendment specifies that, instead of the Joint Standing Committee on Criminal
9 Justice and Public Safety, the Joint Standing Committee on Appropriations and Financial
10 Affairs and the Joint Standing Committee on Judiciary collaborating, a committee made
11 up of 2 members of each of those joint standing committees and a number of additional
12 invited stakeholders is to develop legislation creating the Criminal Code Revision
13 Commission and defining the duties of that commission.

14 **SPONSORED BY:** _____

15 (Senator GOODALL)

16 **COUNTY:** Sagadahoc