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Date: (Filing No. H-)

JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1300, L.D. 1941, “An Act to Implement Recommendations of the Commission to Examine Reestablishing Parole”

Amend the bill by striking out the title and substituting the following:

'Resolve, Establishing the Commission to Examine the Intersection of Parole and Current Sentencing Practices'

Amend the bill by striking out everything after the title and inserting the following:

'Sec. 1. Commission established. Resolved: That the Commission to Examine the Intersection of Parole and Current Sentencing Practices, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 13 members as follows:

- 1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;
- 2. Three members of the House of Representatives appointed by the Speaker of the House, including at least one member from each of the 2 parties holding the largest number of seats in the Legislature;
- 3. The Commissioner of Corrections or the commissioner's designee;
- 4. The Attorney General or the Attorney General's designee;
- 5. A district attorney, designated by an association representing prosecutors in the State;
- 6. A representative of an organization advocating for the interests of persons who are incarcerated, appointed by the President of the Senate;
- 7. A member who is an expert in criminal procedure, appointed by the President of the Senate;

COMMITTEE AMENDMENT

1 8. A member with experience in the fields of criminal sentencing or criminology or
2 with experience in administering parole, appointed by the Speaker of the House;

3 9. A representative of an organization advocating for the interests of racial minorities,
4 appointed by the Speaker of the House; and

5 10. An active or retired judge or justice, designated by the Chief Justice of the Supreme
6 Judicial Court.

7 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair
8 and the first-named House of Representatives member is the House chair of the
9 commission.

10 **Sec. 4. Appointments; convening of commission. Resolved:** That all
11 appointments must be made no later than 120 days following the adjournment of the Second
12 Regular Session of the 132nd Legislature. The appointing authorities shall notify the
13 Executive Director of the Legislative Council once all appointments have been completed.
14 After appointment of all members, the chairs shall call and convene the first meeting of the
15 commission. If 120 days or more after the adjournment of the Second Regular Session of
16 the 132nd Legislature a majority of but not all appointments have been made, the chairs
17 may request authority and the Legislative Council may grant authority for the commission
18 to meet and conduct its business.

19 **Sec. 5. Duties. Resolved:** That the commission shall examine parole as it currently
20 operates in this State and in other states and shall consider:

21 1. How parole fits in with the overall sentencing framework of the Maine Revised
22 Statutes, including the intersection of parole with probation and the supervised community
23 confinement program operated by the Department of Corrections pursuant to Title 34-A,
24 section 3036-A;

25 2. The consequences of reestablishing retrospective or prospective parole, including
26 an exploration of the laws and experience of any other states that have recently established
27 or reestablished parole; and

28 3. The decision-making process that should be employed by the State Parole Board,
29 including any training required to ensure parity between sentencing decisions made by the
30 courts and parole decisions made by the board.

31 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
32 necessary staffing services to the commission, except that the Legislative Council staff
33 support is not authorized when the Legislature is in regular or special session.

34 **Sec. 7. Consultants. Resolved:** That the commission may request that individuals
35 with specific expertise in parole and the logistics of parole systems, including but not
36 limited to current employees of the Department of Corrections and members of the State
37 Parole Board, serve as consultants to the commission.

38 **Sec. 8. Report. Resolved:** That, no later than November 4, 2026, the commission
39 shall submit a report that includes its findings and recommendations, including suggested
40 legislation, to the joint standing committee of the Legislature having jurisdiction over
41 judiciary matters. The joint standing committee may report out legislation based on the
42 recommendations of the commission to 133rd Legislature in 2027.'

1 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
2 number to read consecutively.

3 **SUMMARY**

4 This amendment replaces the bill with a resolve establishing the Commission to
5 Examine the Intersection of Parole and Current Sentencing Practices. The amendment
6 requires the commission to submit a report of its findings and recommendations to the joint
7 standing committee of the Legislature having jurisdiction over judiciary matters by
8 November 4, 2026 and authorizes the joint standing committee to submit legislation based
9 on the findings and recommendations in the report to the 133rd Legislature in 2027.

10 **FISCAL NOTE REQUIRED**

11 **(See attached)**