

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
H.P. 1300 - L.D. 1941

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

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 16 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;
8. A member with experience in the fields of criminal sentencing or criminology or with experience in administering parole, appointed by the Speaker of the House;
9. A representative of an organization advocating for the interests of racial minorities, appointed by the Speaker of the House;
10. A member who is currently incarcerated in a correctional facility in this State, appointed by the Speaker of the House;

11. A member who is a criminal defense attorney, appointed by the Speaker of the House;

12. A member who is a member of Maine Pretrial Services, Inc., appointed by the Speaker of the House; and

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

The membership of the commission must reflect the diversity of the State, including, but not limited to, diversity in geographic location, cultural and ethnic background, sexual orientation, gender identity and professional experience.

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

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

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

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

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

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

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

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

Sec. 8. Report. Resolved: That, no later than November 4, 2026, the commission shall submit a report that includes its findings and recommendations, including suggested

legislation, to the joint standing committee of the Legislature having jurisdiction over judiciary matters. The joint standing committee may report out legislation based on the recommendations of the commission to 133rd Legislature in 2027.