



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1128

H.P. 791

House of Representatives, March 23, 2017

**Resolve, To Establish the Committee To Study the Processing of
Evidence from Sexual Assault Test Kits**

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DAUGHTRY of Brunswick.
Cosponsored by Senator BELLOWS of Kennebec and
Representatives: DUNPHY of Old Town, FECTEAU of Biddeford, MADIGAN of Waterville,
MOONEN of Portland, O'NEIL of Saco, PIERCE of Falmouth, TIPPING of Orono, WARREN
of Hallowell.

1 **Sec. 1. The Committee To Study the Processing of Evidence from Sexual**
2 **Assault Test Kits established. Resolved:** That the Committee To Study the
3 Processing of Evidence from Sexual Assault Test Kits, referred to in this resolve as "the
4 committee," is established; and be it further

5 **Sec. 2. Committee membership. Resolved:** That the committee consists of 11
6 members as follows:

7 1. Four members appointed by the President of the Senate as follows:

8 A. Two members of the Senate, including one member from each of the 2 parties
9 holding the largest number of seats in the Senate;

10 B. One member who is a representative of a statewide organization working to
11 provide victim services to victims of sexual violence and who has experience in
12 accompanying victims during the collection of forensic evidence; and

13 C. One member who is a representative of a statewide organization of district
14 attorneys;

15 2. Five members appointed by the Speaker of the House of Representatives as
16 follows:

17 A. Two members of the House, including one member from each of the 2 parties
18 holding the largest number of seats in the House;

19 B. One member who is a representative of a statewide coalition of organizations
20 working to end sexual assault;

21 C. One member who is a representative of a statewide organization of chiefs of
22 police; and

23 D. One member who is a representative of a statewide organization of sheriffs;

24 3. The Attorney General or the Attorney General's designee; and

25 4. The Director of the Maine State Police Crime Laboratory or the director's
26 designee; and be it further

27 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate
28 chair and the first-named House of Representatives member is the House chair of the
29 committee; and be it further

30 **Sec. 4. Appointments; convening of committee. Resolved:** That all
31 appointments must be made no later than 30 days following the effective date of this
32 resolve. The appointing authorities shall notify the Executive Director of the Legislative
33 Council once all appointments have been completed. After appointment of all members,
34 the chairs shall call and convene the first meeting of the committee. If 30 days or more
35 after the effective date of this resolve a majority of but not all appointments have been
36 made, the chairs may request authority and the Legislative Council may grant authority
37 for the committee to meet and conduct its business; and be it further

1 **Sec. 5. Duties. Resolved:** That the committee shall study the processing of
2 evidence from sexual assault test kits as follows:

3 1. Receive information on the use of sexual assault test kits and review data from
4 state, county and municipal law enforcement agencies and from programs that serve
5 victims of sexual assault and advocates for victims of sexual assault;

6 2. Determine the current status of the processing of sexual assault test kits and the
7 prevalence of and reasons for kits' not being analyzed; and

8 3. Review information on the resources and funding necessary to ensure the timely
9 processing of sexual assault test kits and to meet the needs of victims of sexual assault;
10 and be it further

11 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
12 necessary staffing services to the committee; and be it further

13 **Sec. 7. Report. Resolved:** That, no later than December 6, 2017, the committee
14 shall submit a report that includes its findings and recommendations, including suggested
15 legislation, for presentation to the Joint Standing Committee on Criminal Justice and
16 Public Safety for consideration during the Second Regular Session of the 128th
17 Legislature; and be it further

18 **Sec. 8. Outside funding. Resolved:** That the committee may seek funding
19 contributions to partially or fully fund the costs of the study. All funding is subject to
20 approval by the Legislative Council in accordance with its policies.

21 **SUMMARY**

22 This resolve establishes the Committee To Study the Processing of Evidence from
23 Sexual Assault Test Kits. The resolve provides for an 11-member committee that will
24 study the processing of evidence from sexual assault test kits and make recommendations
25 and submit suggested legislation in a report to the Joint Standing Committee on Criminal
26 Justice and Public Safety by December 6, 2017. The resolve authorizes the committee to
27 seek funding contributions to partially or fully fund the costs of the study but does not
28 make the work of the committee contingent on outside funding.