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Date: (Filing No. H-)

JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 610, L.D. 842, “An Act To Reestablish Parole”

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

'Resolve, To Create the Commission To Examine Reestablishing Parole'

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

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation creates the Commission To Examine Reestablishing Parole to study the reinstatement of parole; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission To Examine Reestablishing Parole, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That 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;

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- 1 3. The Commissioner of Corrections or the commissioner's designee;
- 2 4. The Attorney General or the Attorney General's designee;
- 3 5. A district attorney, designated by an association representing prosecutors in the
- 4 State;
- 5 6. A representative of an organization advocating for the interests of people who are
- 6 incarcerated, appointed by the President of the Senate;
- 7 7. A member with experience in the fields of criminal sentencing or criminology or
- 8 with experience in administering parole, appointed by the Speaker of the House;
- 9 8. A member who is an expert in criminal procedure, appointed by the President of the
- 10 Senate;
- 11 9. A representative of an organization advocating for the interests of racial minorities,
- 12 appointed by the Speaker of the House; and
- 13 10. An active or retired judge or justice, designated by the Chief Justice of the Supreme
- 14 Judicial Court.

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

18 **Sec. 4. Appointments; convening of commission. Resolved:** That all
19 appointments must be made no later than 30 days following the effective date of this
20 resolve. The appointing authorities shall notify the Executive Director of the Legislative
21 Council once all appointments have been completed. After appointment of all members,
22 the chairs shall call and convene the first meeting of the commission. If 30 days or more
23 after the effective date of this resolve a majority of but not all appointments have been
24 made, the chairs may request authority and the Legislative Council may grant authority for
25 the commission to meet and conduct its business.

26 **Sec. 5. Duties. Resolved:** That the commission shall examine parole as it currently
27 operates in this State and in other states, the benefits and drawbacks of parole, different
28 models of parole, how parole fits in with the overall framework of the Maine Criminal
29 Code, the effect of parole on parolees, the costs and savings of instituting parole and the
30 elements of a plan to implement parole.

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 the current members of the Department of Corrections, State Parole Board, serve
37 as consultants to the commission.

38 **Sec. 8. Report. Resolved:** That, no later than December 1, 2021, the commission
39 shall submit a report that includes its findings and recommendations, including suggested
40 legislation, to the Joint Standing Committee on Judiciary, which may report out legislation
41 to the Second Regular Session of the 130th Legislature.

