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JUDICIARY

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STATE OF MAINE

SENATE

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 710, L.D. 1823, “An Act to Promote Transparency in the Criminal Justice System by Requiring the Posting of Criminal Case Decisions”

Amend the bill by inserting after the title and before the enacting clause the following:

'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.'

Amend the bill in section 1 in c. 313 in §2401 in the first indented paragraph in the last 6 lines (page 1, lines 8 to 13 in L.D.) by striking out the following: "A clerk of the District Court or a clerk of the Superior Court shall post to that clerk's publicly accessible website the final decision of a criminal case decided within that prosecutorial district within 60 days of the case's final disposition. A clerk of the Unified Criminal Docket, as defined in section 1003, subsection 11, shall post to the clerk's publicly accessible website the final decision of a criminal case decided within the State within 60 days of the case's final disposition" and inserting the following: 'A district attorney shall post to the publicly accessible website of the county the district attorney represents the final decision of a criminal case decided within that district attorney's prosecutorial district within 60 days of the case's final disposition'

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

SUMMARY

This amendment strikes the requirement that a clerk of the District Court, Superior Court and Unified Criminal Docket post to a publicly accessible website the final disposition of a criminal case within 60 days of the case's final disposition and replaces it with a requirement that a district attorney post the same information to the publicly

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1 accessible website of the county the district attorney represents within 60 days of the case's
2 final disposition. It also adds a mandate preamble.

3 **FISCAL NOTE REQUIRED**

4 **(See attached)**