

CLAC MEMORANDUM/TESTIMONY NFNA
LD 330, Resolve, to Create an Advisory Council to Oversee
the Review and Technical Revision of the Maine Criminal Code and
Other Statutes Establishing Criminal Offenses

TO: Senator Anne Beebe-Center
Representative Tavis Hasenfus
Joint Standing Committee on Criminal Justice and Public Safety

FR: Criminal Law Advisory Commission (CLAC)
c/o laura.yustak@maine.gov

RE: LD 330, Resolve, to Create an Advisory Council to Oversee the Review and Technical
Revision of the Maine Criminal Code and Other Statutes Establishing Criminal Offenses

DA: March 31, 2025

The Criminal Law Advisory Commission (CLAC)* respectfully submits the following testimony neither for nor against LD 330.

CLAC supports the aim of the bill and its focus on technical revision of the Criminal Code and other statutes establishing criminal offenses. We support the concept of a small, non-partisan group to undertake the type of objective review proposed. The tasks identified in the bill of identifying obsolete provisions, clarifying language, eliminating inconsistencies and consolidating or eliminating redundant provisions are consistent with CLAC's goals as we review proposed legislation and are often reflected in the recommendations CLAC offers to the Legislature. For additional context, LD 1903 (131st Leg.) and CLAC's testimony in response (May 23, 2023).

Given the extent of the work anticipated, the projected completion date is unrealistic. The effort would have to be appropriately funded to attract a consultant with the requisite knowledge and experience as well as support staff.

*CLAC is an advisory body established by the Legislature. 17-A M.R.S. §§ 1351-1357. It consists of 9 members appointed by the Attorney General. Our current members include defense attorneys, prosecutors, Maine Bar Counsel, and a retired practitioner with experience as defense counsel, prosecutor and in court administration. In addition, three sitting judges and one retired practitioner, appointed by the Chief Justice of the Supreme Judicial Court, and, by statute, the Co-Chairs of the Legislature's Committee on Criminal Justice and Public Safety, serve as consultants. The Supreme Judicial Court's Criminal Process Manager serves as liaison from the Court to CLAC. CLAC advises the Legislature on matters relating to crimes in the Criminal Code and in other Titles, the Bail and Juvenile Codes, and with respect to other statutes related to criminal justice processes.