



HOUSE OF REPRESENTATIVES

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Testimony of Representative Nina Milliken presenting

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

Before the Joint Standing Committee on Criminal Justice and Public Safety

Good afternoon, Senator Beebe-Center, Representative Hasenfus, and friends and colleagues on the best committee in the Maine Legislature. My name is Nina Milliken and I am lucky to represent the communities of Blue Hill, Brooksville, Castine, Sedgwick, Surry and Trenton in the Maine House. I am happy to be here today to present my bill, **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.**

Last summer, I reached out to Julie Finn from the Judicial Branch and asked if it was possible to get a list of all active criminal codes in the state. I got a nearly 80-page list. I have brought a couple copies of the list with me today. In addition to all of the current criminal statutes, you will notice that the list provides some other information, specifically, the class of each offense, when the law came into effect, the last time a case was filed, how many cases have been filed and the number of days since the offense was last used. As you flip through the pages, you will notice that a significant percentage of the criminal statutes have never been charged and many have been charged less than 10 times. Some have been in the books for decades and some came into effect in the last couple of years.

Some of the crimes that have never been charged should be crimes. For example, "Causing a catastrophe," thank goodness, has never been charged but it should be illegal to commit this offense. But I assert that many of the offenses listed are perhaps dated or frivolous. If a law has been on the books for several years in Maine like the Class C offense of transporting Christmas trees without permission, which has been on the books since 2004 and never charged, is there much need for it?

This resolve would pull together a group of stakeholders to go through all of Title 17 and other sections of the law that establish criminal statutes to identify unused and obsolete provisions, clarify confusing language, eliminate inconsistencies, consolidate or eliminate redundant

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provisions, and reorganize or restructure the Maine Criminal Code and other statutes establishing criminal offenses. The group could then make recommendations to this committee and report out legislation to be introduced in the second session of the 132nd Legislature.

I appreciate all of your time and consideration and am happy to take any questions.