

## CHAPTER 55

### CRIMINAL LAW ADVISORY COMMISSION

#### §1351. Establishment

The Criminal Law Advisory Commission, established by Title 5, section 12004-I, subsection 52, is created for the purpose of conducting a continuing study of the criminal law of Maine. [PL 1989, c. 503, Pt. B, §71 (AMD).]

#### SECTION HISTORY

PL 1975, c. 740, §124 (NEW). PL 1983, c. 812, §99 (RPR). PL 1989, c. 503, §B71 (AMD).

#### §1352. Membership; terms; vacancies

1. The commission shall be composed of 9 members to be appointed by the Attorney General. The members shall be qualified by reason of their experience in the prosecution or defense of criminal cases or by reason of their knowledge of the criminal law. At least 2 members shall be qualified by reason of their knowledge of juvenile law.

[PL 1977, c. 671, §34 (AMD).]

2. Members of the commission shall serve for a term of 2 years and may be reappointed.

[PL 1975, c. 740, §124 (NEW).]

3. In the event of the death or resignation of a member, the vacancy for the member's unexpired term must be filled by the Attorney General.

[PL 2003, c. 143, §12 (AMD).]

#### SECTION HISTORY

PL 1975, c. 740, §124 (NEW). PL 1977, c. 671, §34 (AMD). PL 2003, c. 143, §12 (AMD).

#### §1353. Consultants; experts

1. The Senate and House chairs of the joint standing committee of the Legislature having jurisdiction over the Maine Criminal Code and the Maine Juvenile Code, or their designees, serve as consultants to the commission. The Chief Justice of the Supreme Judicial Court shall appoint 4 consultants to the commission, at least one of whom must be an active member of the Superior Court and at least one of whom must be an active member of the District Court.

[PL 1995, c. 109, §1 (AMD).]

2. Whenever it deems it appropriate, the commission shall seek the advice of experts, including representatives of the executive departments, in fields related to its duties.

[PL 1975, c. 740, §124 (NEW).]

#### SECTION HISTORY

PL 1975, c. 740, §124 (NEW). PL 1995, c. 109, §1 (AMD).

#### §1354. Duties

1. It shall be the duty of the commission:

A. To examine the sections of the Revised Statutes outside of the Criminal Code which pertain to the criminal law and to draft such amendments to those sections as the commission deems advisable in light of the Criminal Code; [PL 1975, c. 740, §124 (NEW).]

B. To evaluate the operation of the Criminal Code and to recommend amendments to the code based on such evaluation; [PL 1975, c. 740, §124 (NEW).]

C. To examine the present laws pertaining to criminal pleadings and to consider possible changes, including, but not limited to, the adoption of code pleading and the preparation of pleading forms; [PL 1977, c. 671, §35 (AMD).]

D. To examine any other aspects of Maine's criminal law, including substantive, procedural and administrative matters, which the commission deems relevant; and [PL 1977, c. 671, §35 (AMD).]

E. To evaluate the operation of the Maine Juvenile Code, Title 15, Part 6, and to recommend amendments to that code based on that evaluation. [PL 1977, c. 671, §36 (NEW).]  
[PL 1977, c. 671, §§35, 36 (AMD).]

2. The commission shall submit to the Legislature, at the start of each session, such changes in the criminal laws and in related provisions as the commission may determine appropriate. The commission may also make recommendations to the Chief Justice of the Supreme Judicial Court, the Advisory Committee on Criminal Rules and to any other organization or committee whose affairs pertain to the criminal justice system.

[PL 1997, c. 134, §10 (AMD).]

#### SECTION HISTORY

PL 1975, c. 740, §124 (NEW). PL 1977, c. 671, §§35,36 (AMD). PL 1993, c. 184, §1 (AMD).  
PL 1997, c. 134, §10 (AMD).

#### §1355. Organization; staff

1. The Attorney General shall notify all members of the time and place of the first meeting. At that time the commission shall organize, elect a chair, vice-chair and secretary-treasurer and adopt rules as to the administration of the commission and its affairs. The commission shall maintain such financial records as may be required by the State Auditor.

[PL 2003, c. 143, §13 (AMD).]

2. Within the limits of its budget, the commission shall be authorized to contract and employ staff members, who need not be residents of this State, to assist in the legal research and drafting required in connection with the duties of the commission.

[PL 1975, c. 740, §124 (NEW).]

#### SECTION HISTORY

PL 1975, c. 740, §124 (NEW). PL 2003, c. 143, §13 (AMD).

#### §1356. Reimbursement of expenses

The members of the commission shall be compensated according to the provisions of Title 5, chapter 379. [PL 1983, c. 812, §100 (RPR).]

#### SECTION HISTORY

PL 1975, c. 740, §124 (NEW). PL 1983, c. 812, §100 (RPR).

#### §1357. Federal funds

The commission shall be authorized on behalf of the State to accept federal funds and may seek the advice and assistance of the Criminal Justice Planning and Assistance Agency in carrying out its duties. [PL 1975, c. 740, §124 (NEW).]

#### SECTION HISTORY

PL 1975, c. 740, §124 (NEW).

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