

MAINE STATE LEGISLATURE

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Date: 2-18-20

(Filing No. H-683)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1250, L.D. 1756, Bill, "An Act To Improve Public Safety through Coordinated Reentry of Prisoners into the Community"

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

'Amend the bill by striking out all of sections 2 to 5 (page 1, lines 15 to 38 and page 2, lines 1 to 8 in L.D.) and inserting the following:

'Sec. 2. 34-A MRSA §3036-A, sub-§2, ¶C, as amended by PL 2019, c. 113, Pt. C, §92, is further amended to read:

C. ~~Except as provided in paragraph C-1,~~ a A prisoner may not be transferred to supervised community confinement unless the prisoner has no more than ~~48~~ 24 months remaining on the term of imprisonment or, in the case of a split sentence, on the unsuspended portion, after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 2302, subsection 1; section 2305; section 2307; section 2308; section 2309; section 2310; or section 2311.

Sec. 3. 34-A MRSA §3036-A, sub-§2, ¶C-1, as amended by PL 2019, c. 113, Pt. C, §93, is repealed.

Sec. 4. 34-A MRSA §3061, sub-§1, as amended by PL 2019, c. 113, Pt. C, §98, is further amended to read:

1. **Transfer.** The commissioner may transfer any client from one correctional or detention facility or program, including prerelease centers, work release centers, halfway houses, sober houses, transitional housing, reentry programs, supervised community confinement or specialized treatment facilities, to another. A juvenile may not be transferred to another facility or program for adult offenders and an adult offender may not be transferred to another facility or program for juveniles, except that an adult offender may be housed in the Long Creek Youth Development Center or the Mountain View Correctional Facility pursuant to section 4117 or Title 17-A, section 1611.'

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

SUMMARY

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This amendment retains the provision of the bill that requires the Commissioner of Corrections to enter into agreements with other state agencies to ensure that prisoners and juvenile clients receive coordinated assistance with reentry and receive services and benefits upon release into the community. It retains the provision of the bill that authorizes the commissioner to enter into similar agreements with federal agencies and community agencies.

The amendment removes from the bill the provision that proposed to repeal the requirement that a prisoner serve 2/3 of the term of imprisonment imposed, or in the case of a split sentence, 2/3 of the unsuspended portion of the sentence, if the term of imprisonment or the unsuspended portion is more than 5 years.

The bill and committee amendment increase the time that a prisoner may have remaining on the prisoner's sentence of imprisonment or, in the case of a split sentence, on the unsuspended portion, after consideration of any deductions that the prisoner has received and retained, from 18 months to 36 months for the prisoner to be eligible for transfer to supervised community confinement. This amendment instead increases the time from 18 months to 24 months.

The amendment retains the provision of the bill that repeals a provision of law providing that if the commissioner determines that the average statewide probation case load is no more than 90 probationers to one probation officer, a prisoner may be transferred to supervised community confinement if the prisoner has no more than 2 years remaining on the term of imprisonment or unsuspended portion of a split sentence.

Under current law, the commissioner may transfer any client from one correctional or detention facility or program to another. The amendment retains the provision of the bill that adds sober houses, transitional housing and reentry programs to the list of such facilities in current law.

SPONSORED BY: Rachel Talbot Ross

(Representative TALBOT ROSS)

TOWN: Portland

FISCAL NOTE REQUIRED
(See attached)



129th MAINE LEGISLATURE

LD 1756

LR 406(04)

An Act To Improve Public Safety through Coordinated Reentry of Prisoners into the Community

Fiscal Note for House Amendment "A" to Committee Amendment "A"

Sponsor: Rep. Talbot Ross of Portland

Fiscal Note Required: Yes

Fiscal Note

Minor savings - General Fund

Fiscal Detail and Notes

Eliminating the steering committee will reduce the minor cost of the bill by a small amount.