

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1993

will be used for adult programs, and 1/2 of the retained funds must be retained until the county demonstrates that the funds will be used for juvenile programs. All funds retained by the department under this subsection not released by the end of the year may not lapse, but must be carried forward into subsequent years, with each county's funds carried over for that county. A county may shift funds from the funds retained and available for adult programs pursuant to this subsection to juvenile diversion programs. All funds not committed by any county after 3 years from the date the county's claim is approved by the department must be placed by the department in a pool from which supplementary funds periodically must be made available to all counties on a competitive basis. Annually, by September 1st, the commissioner shall submit to the joint standing committee of the Legislature having jurisdiction over corrections matters a report of the activity in the prior fiscal year of the funds retained under this subsection, including the following:

- A. The amount retained from each county;
- B. The amount of any funds that have been carried over from previous fiscal years for each county;
- C. The amount released to each county; and
- D. The specific programs for which funds were released for each county, including an indication of whether each program serves juveniles or adults.

See title page for effective date.

CHAPTER 518

S.P. 597 - L.D. 1656

An Act to Clarify the Method for Calculating Inmate Good Time

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 17-A MRSA §1253, sub-§3, as amended by PL 1991, c. 364, §1, is further amended to read:

3. Beginning October 1, 1983, a person sentenced to imprisonment for more than 6 months is entitled to receive a deduction of 10 days each month for observing all rules of the department and institution. The period from which the deduction is made must be calculated from the first day the person is delivered into the custody of the department and includes the full length of the unsuspended portion of the sentence. This provision does not apply to the

suspended portion of the person's sentence; pursuant to section 1203 nor does it apply to the suspended portion of a sentence under section 1262. For the purpose of calculating good time under this subsection, a month is 30 days and a year is 12 months.

A. Deductions under this subsection must be calculated as follows for partial months.

Days of partial month	Maximum good time credit available
0 - 2 days	0
3 - 5 days	1
6 - 8 days	2
9 - 11 days	3
12 - 14 days	4
15 - 17 days	5
18 - 20 days	6
21 - 23 days	7
24 - 26 days	8
27 - 29 days	9
30 days	10

Sec. 2. 17-A MRSA §1253, sub-§3-B, as amended by PL 1989, c. 693, §9, is further amended to read:

3-B. Beginning October 1, 1983, each person sentenced; to imprisonment for 6 months or less ~~shall be is~~ entitled to receive a deduction of 3 days per month calculated from the first day of ~~his~~ that person's delivery into the custody of the department, to include the full length of the unsuspended portion of ~~his~~ that person's sentence, for observing all the rules of the department and institution, except this provision ~~shall~~ does not apply to the suspended portion of a ~~persons~~ person's sentence pursuant to split sentences under section 1203. For the purpose of calculating good time under this subsection, a month is 30 days and a year is 12 months.

A. Deductions under this subsection must be calculated as follows for partial months.

Days of partial month	Maximum good time credit available
0 - 7 days	0
8 - 15 days	1
16 - 23 days	2
24 - 30 days	3

Sec. 3. 17-A MRSA §1253, sub-§4, as amended by PL 1991, c. 737, §1, is further amended to read:

4. Up to an additional 3 days per month may be deducted in the case of those inmates committed to the Department of Corrections who are assigned or participating in work, education or other responsibilities within the institution or program that are determined to be of sufficient importance to warrant those deductions by the institution head in accordance with policy and guidelines established by the Department of Corrections. For the purpose of calculating meritorious good time under this subsection, a month is a calendar month.

A. Deductions made under this subsection must be calculated as follows for partial months.

<u>Days of partial month</u>	<u>Maximum meritorious good time credit available</u>
1 - 10 days	up to 1
11 - 20 days	up to 2
21 - 31 days	up to 3

Sec. 4. 17-A MRSA §1253, sub-§5, as amended by PL 1991, c. 259, §2, is further amended to read:

5. In addition to the provisions contained in subsection 4, up to 2 days per month may also be deducted in the case of those inmates assigned to and participating in minimum security or community programs administered by the Department of Corrections. These deductions may also apply in the case of those inmates assigned to or participating in minimum security or community programs through agencies providing services to the Department of Corrections. These deductions may be authorized for work and responsibilities, to include public restitution, that are ~~deemed~~ considered to be of sufficient importance to warrant those deductions by the institution head in accordance with the Department of Corrections policy and guidelines. For the purpose of calculating meritorious good time under this subsection, a month is a calendar month.

A. Deductions made under this subsection must be calculated as follows for partial months.

<u>Days of partial month</u>	<u>Maximum meritorious good time credit available</u>
1 - 15 days	up to 1
16 - 31 days	up to 2

See title page for effective date.

CHAPTER 519

H.P. 1241 - L.D. 1668

An Act to Ensure Accessibility to Mental Retardation Services for Persons Who are Deaf or Hard of Hearing

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 34-B MRSA §1218 is enacted to read:

§1218. Services to persons who are deaf or hard-of-hearing

1. Mental health services. The Division of Mental Health shall provide accommodations and services for persons who are deaf or hard-of-hearing in order to provide access to mental health programs funded or licensed by the division. These accommodations must include, but are not limited to, the following:

A. Appropriate mental health assessments for clients who are deaf or hard-of-hearing;

B. Provision of interpreter services for treatment;

C. Educational and training for mental health staff providing treatment to persons who are deaf or hard-of-hearing;

D. Placement of telecommunication devices for persons who are deaf or hard-of-hearing in comprehensive community mental health facilities;

E. Support and training for families with members who are deaf or hard-of-hearing who experience mental health problems; and

F. Establishment of a therapeutic residence program for persons who are deaf or hard-of-hearing and in need of residential mental health treatment. The therapeutic residence program must be operated in conjunction with existing rehabilitation, education, mental health treatment and housing resources. The therapeutic residence program must be staffed by individuals trained in mental health treatment and proficient in communication for the deaf.

2. Mental retardation services. The Division of Mental Retardation shall provide accommodations and services ensuring access for persons who are deaf or hard-of-hearing to mental retardation programs funded or licensed by the division. These accommo-