

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT SELECT COMMITTEE
ON
CORRECTIONS**

AUGUST 1991

Staff:
Paul J. Saucier, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670*

MEMBERS:

**Sen. Beverly Miner Bustin
Sen. N. Paul Gauvreau
Sen. Barbara A. Gill*

**Rep. Cushman D. Anthony
Rep. Peter J. Manning
Rep. Susan E. Dore
Rep. James V. Oliver
Rep. Elden McKeen
Rep. Anne M. Larrivee
Rep. Michael F. Hepburn
Rep. Ernest C. Greenlaw
Rep. Jack L. Libby
Rep. Peggy A. Pendleton*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
RON CLARK
RYAN M. DYTTER
BRO FLATEBO
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 1489 An Act to Make Miscellaneous Changes to the Maine Revised Statutes, Title 34-A

PUBLIC 314

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HOLLOWAY SUMMERS MANNING BAILEY R	OTP-AM	S-169

SUMMARY

This bill clarifies and makes consistent several references in Title 34-A, the part of the statutes regarding the Department of Corrections.

Committee Amendment "A" (S-169) corrects inconsistencies in the bill and replaces language regarding seclusion at the Maine Youth Center to make it consistent with new language enacted regarding placement of juveniles under observation at the Northern Maine Regional Juvenile Detention Facility. (See LD 885)

LD 1572 An Act to Amend the Laws Governing the Intensive Supervision Program

**PUBLIC 364
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
REED W RICHARDS BRANNIGAN ANTHONY	OTP-AM	H-398

SUMMARY

This bill gives the Department of Corrections authority to administratively place certain offenders into the Intensive Supervision program, once they are placed into the Department's custody. It also grants good time to offenders in the Intensive Supervision program. Under existing law, only the courts can sentence inmates to the Intensive Supervision program, and they are not eligible for good time while serving time in the program.

Committee Amendment "A" (H-398) eliminates the provisions of the bill which would have allowed inmates to be placed in the Intensive Supervision program administratively. Those provisions raised constitutional concerns regarding separation of powers. The amendment changes those provisions which grant good time to inmates in the program, clarifying that all inmates in the program are eligible for good time.

LD 1616 An Act Relating to the Jail Operations Surcharge Fund

PUBLIC 303

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GAUVREAU PENDLETON	OTP-AM	S-163

SUMMARY

This bill changes the name of the Jail Operations Surcharge Fund to the Government Operations Surcharge Fund and provides that over a 5-year period beginning in 1993 the portion of the Fund paid to the counties will increase from 22% to 100%. (See LD 318)

Committee Amendment "A" (S-163) removes the provision of the bill that increases the portion of the Fund paid to counties. (See LD 318)