

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT SELECT COMMITTEE
ON
CORRECTIONS**

AUGUST 1991

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**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 1702 An Act to Clarify the Role of the Maine Youth Center

PUBLIC 311

SPONSOR(S)
GREENLAW
BAILEY R
PENDLETON

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-348

SUMMARY

The bill requires the Maine Youth Center to undertake security measures including physically restrictive construction or intensive staff supervision when those measures are needed for rehabilitation. The bill also prohibits the detention at the Maine Youth Center of juveniles who are younger than 11 years old or who are appropriately served by the Department of Mental Health and Mental Retardation. Existing law prohibits commitment of such juveniles to the Maine Youth Center but does not address the issue of detention.

Committee Amendment "A" (H-348) clarifies that the Department of Corrections has authority to undertake security measures at the Maine Youth Center but is not required to use any particular measure. It also removes the language in the bill that prohibits the detention of a juvenile younger than 11 years old and clarifies the language in the bill regarding juveniles who are appropriately served by the Department of Mental Health and Mental Retardation.

LD 1728 An Act to Establish a Shock Incarceration Program

ONTP

SPONSOR(S)
HANLEY
HEPBURN
GAUVREAU

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

The bill establishes the Shock Incarceration Program, providing a sentence of intensive discipline and regimentation modeled on military basic training for a maximum of 120 days for certain offenders between the ages of 17 and 25.

LD 1729 An Act Relating to the Maine Criminal Justice Commission

PUBLIC 417

SPONSOR(S)
FARNSWORTH
ANTHONY
BUSTIN
CONLEY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-523

SUMMARY

This bill replaces the Maine Correctional Advisory Commission, which exists within the Department of Corrections, with an independent agency known as the Maine Criminal Justice Commission. The new commission has broader representation of people in the criminal justice system and is given specific duties and study topics regarding corrections policy in Maine.

Committee Amendment "A" (H-523) replaces the original bill. The Maine Correctional Advisory Commission is maintained within the Department of Corrections and the Maine Criminal Justice Commission is broadened to include all aspects of the criminal justice system. The amendment clarifies that the commission must be supported by private funds, and it adds a fiscal note to the bill.