

# 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)

FIRST SPECIAL SESSION  
(EMERGENCY)

---

---

ONE HUNDRED AND SECOND LEGISLATURE

---

---

**Legislative Document**

**No. 1653**

---

---

H. P. 1185 House of Representatives, January 17, 1966  
The Committee on Judiciary suggested.  
Presented by Mr. Brennan of Portland.

JEROME G. PLANTE, Clerk

---

---

**STATE OF MAINE**

---

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SIX

---

**AN ACT Relating to the Interruption of the Running of Sentence in Cases of  
Parole Violation.**

---

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, under existing statutes and case law the sentence of a parolee who violates the conditions of his parole, or the law, continues to run; it is possible therefore that a parolee could violate his parole and remain at large for a prolonged period of time, or through the running of his maximum sentence; in the former instance the State Probation and Parole Board could not impose confinement upon such parole violator beyond the maximum sentence fixed by the court, and in the latter instance after the running of the maximum sentence the board would be powerless to secure the reconfinement of the violator; thus, defiance of parole conditions, or of the law, can result in an advantage to the violator; and

Whereas, such existent status of the law is considered by the State Probation and Parole Board to be a defect of major proportion, detrimental to the effective administration of the parole system in this State; and

Whereas, the following Act is vitally necessary to assure the effective administration of the State Probation and Parole Law; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**R. S., T. 34, § 1675, amended.** Section 1675 of Title 34 of the Revised Statutes is amended by adding at the end 2 new paragraphs as follows:

**'Whenever a warrant is issued under this section for the arrest of a parolee, the running of the parolee's sentence shall be interrupted and shall remain interrupted until the parolee is returned to the institution from which he was paroled; such interruption of the running of his sentence shall include any time served prior to such return, after conviction for a crime committed while on parole.'**

**In the event of the withdrawal of the warrant by authority of the board, or in the event that the board at the hearing on the alleged violation finds that the parolee did not violate the conditions of his parole, or the law, he shall be credited with the time lost by the interruption of the running of his sentence.'**

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.