

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2494

S. P. 892

In Senate, February 7, 1974

Referred to the Committee on Health and Institutional Services. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Conley of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT Establishing a Full-time Administrative Assistant for the State Parole Board.

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

Whereas, the work load of the State Parole Board has increased; and

Whereas, the board now meets approximately 65 times each year; and

Whereas, it is necessary to provide the board with full-time assistance in order that they may properly carry out their statutory responsibilities; 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:

Sec. 1. R. S., T. 34, § 1553, additional. Title 34 of the Revised Statutes is amended by adding a new section 1553, to read as follows:

§ 1553. Administrative assistant

The Parole Board shall appoint an administrative assistant who shall serve at the pleasure of the board. The administrative assistant shall devote full time to his duties and shall be compensated in such amount as is determined

by the Governor and Council. Subject to the regulations of the board, the administrative assistant may conduct a preliminary hearing with an inmate at any correctional institution and make written recommendations to the board concerning disposition. If the recommendation is to grant parole, the board may make a final decision approving parole without a hearing. The board shall not deny parole without affording the inmate a hearing before the board. If the recommendation is for denial of parole, the inmate shall be afforded a hearing before the board. The administrative assistant shall also perform those duties assigned to him by the board.

Sec. 2. Appropriation. There is appropriated to the Department of Mental Health and Corrections, State Parole Board, from the General Fund the sum of \$7,650 for the fiscal year ending June 30, 1974 and \$20,000 for the fiscal year ending June 30, 1975. The breakdown shall be as follows:

	1973-74	1974-75
MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF		
State Parole Board		
Personal Services	(2) \$ 6,000	(2) \$18,000
All Other	650	2,000
Capital Expenditures	1,000	-
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	\$ 7,650	\$20,000

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

STATEMENT OF FACT

The purpose of this bill is to establish a full-time administrative assistant to the State Parole Board.

The work load of the Parole Board has increased in recent months. The board now meets approximately 65 times each year. In addition, each member must devote many hours to preparation.

The Parole Board is composed of citizen members most of whom have full-time jobs in private life.

In order that the board may properly carry out its statutory responsibilities, this bill would establish a full-time administrative assistant to the board. The administrative assistant would be authorized to conduct preliminary hearings and make written recommendations to the board as to disposition. If the recommendation were in favor of parole, the board would be authorized to grant parole without further hearing. In no event could parole be denied without a hearing before the board.

Other states have enacted similar legislation.