

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 787

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H. P. 636 House of Representatives, February 26, 1975  
Referred to the Committee on Judiciary. Sent up for concurrence and  
ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hughes of Auburn.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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AN ACT Amending Certain Laws Relating to Parole.

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

Sec. 1. 34 MRSA § 1553, as enacted by PL 1973, c. 779, § 1, is amended by adding at the end the following new sentence:

The administrative assistant shall also be the secretary of the board.

Sec. 2. 34 MRSA § 1592, sub-§ 4, last sentence, as last repealed and replaced by PL 1969, c. 319, § 4, is amended to read:

The director shall be the executive officer and secretary of the board, and shall have authority to sign documents, including warrants and extradition papers for the board, when so instructed by the board. The director or assistant director shall attend all hearings conducted by the board.

Sec. 3. 34 MRSA § 1676 is repealed and the following enacted in place thereof:

§ 1676. Sentence for crime committed by parolee

Unless the court specifically orders the imposition of a consecutive sentence, any sentence imposed upon a parolee for an offense committed while on parole shall be concurrent with the sentence being served while on parole, provided that the sentenced parolee shall not be again eligible to be heard by the board until the parole eligibility hearing date applicable to the sentence imposed for the offense committed while on parole.

## STATEMENT OF FACT

There are instances where a man with a long maximum sentence is released on parole and commits another crime and is recommitted to an institution. In keeping with a sound rehabilitative process, the Parole Board may wish to release him on parole again prior to the expiration of his long maximum sentence. In order to accomplish this, the Parole Board has reluctantly discharged men to their shorter sentence. This piece of legislation will allow the Parole Board to release a man to supervised parole without discharging him from his longer sentence.

The Act transfers the function of secretary of the State Parole Board from the Director of Probation and Parole to the administrative assistant to the State Parole Board, this latter office having been created by the Legislature in the last special session. The Act mandates the attendance of the Director or Assistant Director of the Division of Probation and Parole at all State Parole Board hearings.