

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 537

H. P. 430

House of Representatives, February 17, 1977

On motion of Mr. Hughes of Auburn, referred to Committee on Judiciary.
Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Joyce of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Provide for a Minimum 30-Year Sentence for Murder.

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

Sec. 1. 17-A MRSA § 1253, sub-§ 3, as enacted by PL 1975, c. 499, § 1, is amended to read:

3. Each person, **except those sentenced to life imprisonment**, sentenced to imprisonment for more than 6 months whose record of conduct shows that he has observed all the rules and requirements of the institution in which he has been imprisoned shall be entitled to a deduction of 10 days a month from his sentence, commencing, in the case of all convicted persons, on the first day of his delivery into the custody of the department.

Sec. 2. 17-A MRSA § 1253, sub-§ 4, as enacted by PL 1975, c. 499, § 1, is amended to read:

4. An additional 2 days a month may be deducted in the case of those, **except those sentenced to life imprisonment**, who are assigned duties outside the institution or who are assigned to work within the institution which is deemed to be of sufficient importance and responsibility to warrant such deduction.

Sec. 3. 17-A MRSA § 1254, sub-§ 2, 1st and 3rd sentences, as amended by PL 1975, c. 740, § 119, are further amended to read:

A person sentenced to life imprisonment may, after having served ~~25~~ 30 years, and annually thereafter, and a person sentenced to a term of 20 years or more, may, after having served 4/5 of said sentence, and annually thereafter, petition the Superior Court of the county in which he is imprisoned for a reduction of his sentence to a term of years.

If the sentence is so reduced the imprisoned person shall be unconditionally released and discharged upon the expiration of the term specified in such sentence, minus such deductions authorized under section 1253 as he shall have accumulated; provided, however, that notwithstanding any deductions that may be accumulated under section 1253, no such person shall be so released and discharged until he has served ~~25~~ 30 years, if his sentence is life imprisonment or 4/5 of his sentence, if that sentence is for a term of years of 20 years or more.

STATEMENT OF FACT

The purpose of this bill is to provide a 30-year minimum sentence for those persons convicted of criminal homicide in the 1st degree and to provide that they shall receive no good time deduction from their sentence.