

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 1306

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H. P. 1082

House of Representatives, March 28, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Tarbell of Bangor.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Authorize Sentencing Courts to Specify Places of Confinement  
of Persons Convicted of Crimes and to Remove Age Restrictions on Sen-  
tencing to the Maine Correctional Center.**

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

17-A MRSA § 1252, sub-§ 1, 2nd sentence, as amended by PL 1975, c. 756,  
§ 20, is repealed and the following enacted in its place:

**The sentence of the court shall specify the place or places of imprisonment,  
and the term to be served at each, provided that no person shall be sentenced  
to imprisonment in the Maine Correctional Center located at South Windham,  
Maine, for a term in excess of 5 years.**

STATEMENT OF FACT

This bill permits, but does not require, sentencing judges to specify more than one place of confinement, and the portion of a total sentence to be served at each. Thus it would enlarge the range of sentencing choices available to the courts.

Also, significant numbers of adult offenders are presently over-restrained by being sentenced to the Maine State Prison, a maximum security facility. These persons are automatically excluded by virtue of age 27 or older, from access to the State's sole medium security facility. This bill would partially remedy this situation by giving courts discretion to sentence any adult offender whose sentence does not exceed 5 years to either the Maine Correctional Center or the Maine State Prison.