

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 REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1399

H. P. 1130

House of Representatives, March 22, 1979

Speaker laid before the House and on Motion of Mr. Hobbins of Saco, referred to the Joint Select Committee on Correctional Institutions. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Cloutier of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Amend the Split Sentencing Provisions of the Criminal Code.

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

Sec. 1. 17-A MRSA § 1203, sub-§ 1, first sentence, as last repealed and replaced by PL 1977, c. 671, § 27, is amended to read:

~~Subject to the limitation in subsection 2, the~~ **The** court may sentence a person to an initial term of imprisonment in a designated institution to be followed by a suspended term of imprisonment with probation; provided that the aggregate of the initial term of imprisonment and the suspended term of imprisonment shall not exceed the maximum term authorized for the crime.

Sec. 2. 17-A MRSA § 1203, sub-§ 2, as repealed and replaced by PL 1977, c. 671, § 27, is repealed.

STATEMENT OF FACT

The purpose of this bill is to eliminate the upper limit of 120 days the incarceration portion of split sentences served at the Maine State Prison. The current limit forces judges to sentence to the Maine Correctional Center when they wish to impose a split sentence which requires more than 120 days of incarceration, and this has contributed to the overcrowding situation at the Maine Correctional Center.