

# MAINE STATE LEGISLATURE

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OF R.

L.D. 604

*m.j.*

STATE OF MAINE  
SENATE  
110th ELGISLATURE  
FIRST REGULAR SESSION

(Filing No. S-37)

COMMITTEE AMENDMENT "A" to S.P. 217, L.D. 604, Bill, "AN ACT to Create the Charleston Correctional Center within the Department of Mental Health and Corrections."

Amend the bill in the title by striking out the word "Center" and inserting in its place the word 'Facility'

Further amend the bill in the 4th line by striking out the underlined word "CENTER" and inserting in its place the following: 'FACILITY'

Further amend the bill in that part designated "§871." first paragraph, 2nd sentence, by striking out at the end, before the period, the underlined word "center" and inserting in its place the underlined word 'facility'

Further amend the bill in that part designated "§871." first paragraph, 3rd, 4th and 5th sentences, by striking out the underlined word "Center" and inserting in their place the underlined word 'Facility'

Further amend the bill in that part designated "§871." first paragraph, by striking out all of the last underlined sentence.

Further amend the bill in that part designated "§871." 2nd paragraph, first sentence, by striking out at the end, before the period, the underlined word "center" and inserting in its place the underlined word 'facility'

Further amend the bill in that part designated "§871." 2nd paragraph 2nd sentence, by striking out the underlined word "center" and inserting in its place the underlined word 'facility'

Further amend the bill in that part designated "§872." by striking out all of the first underlined sentence and inserting in its place the following:

'Any inmate transferred to the facility may be transferred to the Maine Correctional Center or the State Prison for reasons of security, overcrowding or failure to participate satisfactorily in the facility's work and rehabilitative programs.'

Further amend the bill by striking out all of that part designated "§873." and inserting in its place the following:

'§873. Powers of officers

Employees of the facility shall have the same power and authority as sheriffs in their respective counties, only insofar as searching for and apprehending escapees from the facility are concerned, when so authorized by the director.'

Further amend the bill in that part designated "§874." in the first sentence by striking out the underlined word "center" and inserting in its place the underlined word 'facility'

Further amend the bill in that part designated "§875." by striking out in the first line the underlined punctuation and word "; escape" and by striking out all of the first/<sup>2</sup>underlined sentences and inserting in /<sup>their</sup> place the following:

'The department may authorize the employment of inmates at this facility on public works with any department, agency or entity of state, county or local government. The department may further

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authorize the use of the inmates to provide assistance in the improvement of property owned by nonprofit organizations, and may request that the organizations pay for the transportation of the inmates and per diem compensation for correctional officers or instructors who must accompany the inmates or oversee the work to be performed.'

Further amend the bill in that part designated "§875." by striking out all of the last underlined sentence.

Further amend the bill by inserting at the end the following:

'§876. Escape

Any inmate who escapes from the facility or from any assignment beyond the grounds of the Charleston Correctional Facility is guilty of escape under this Title or Title 17-A, section 755.'

#### Statement of Fact

This amendment removes the term "center" and replaces it with the word 'facility,' to avoid confusion either by use of the initials "CCC" or with the Correctional Center.

The amendment also removes the provision whereby the director of the facility serves at the pleasure of the commissioner.

The language pertaining to the power of officers is amended to resemble that for the State Prison.

The limitation on public service works to certain departments

of State Government or charitable organizations is lifted; now such work can be done for any level of government or a nonprofit organization. In addition, the department may now request, rather than require, the organizations to make some payment for incidental costs.

Escape is put into a separate section and clarified to mean any escape from the facility, not just from work or service assignments.

Reported by a Majority of the Committee on Health and Institutional Services.

Reproduced and distributed pursuant to Senate Rule 11-A.

March 9, 1981

(Filing No. S-37)