

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)

STATE OF MAINE
SENATE (Filing No. S-280)
110TH LEGISLATURE (Corrected Copy)
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 494, L.D. 1429, Bill, "AN ACT to Establish a Board of Prison Terms and Supervised Release.'

Amend the bill in section 2, in that part designated "§1551." by striking out all of the 5th sentence and inserting in its place the following:

'The members of the board, other than its chairman, shall be paid \$25 each day plus expenses for each day actually spent in the work of the board.'

Further amend the bill in section 3, in that part designated "§1552." in subsection 4, in the first line (same in L.D.) by striking out the underlined punctuation and words ', or any member thereof,'

Further amend the bill in section 5, in that part designated "§1571," by inserting at the end the following:

'5. Ineligibility for release. Persons convicted of the following offenses are not eligible for supervised release:

- A. Murder, felony murder, causing a catastrophe; and
- B. With the use of a dangerous weapon, manslaughter, kidnapping, burglary, robbery and theft.'

Further amend the bill in section 5, in that part designated "§1572." in subsection 2, by striking out all of the last underlined sentence.

Further amend the bill in section 5, in that part designated
^{line}
 "\$1573." in subsection 1, in the 4th line, (3rd/in L.D.) by inserting
 after the underlined words "set the" the underlined word 'possible'

Further amend the bill in section 5, in that part designated
 "\$1573." in subsection 2, by striking out all of the first
 sentence and inserting in its place the following:

'In determining if a scheduled release date shall be set for a
 prisoner pursuant to subsection 1, the board shall apply the
 appropriate ranges established pursuant to section 1572, subsection
 2, except where the board invokes a variation from the range under
 the guidelines established pursuant to section 1572, subsection 3.'

Further amend the bill in section 5, in that part designated
 "\$1573." in subsection 3, by striking out all of the first
 sentence and inserting in its place the following:

'Prior to any scheduled release date set for a prisoner, the board
 shall interview the prisoner to review the record of his conduct
 during confinement, his release plan and his psychological or
 psychiatric report, if any.'

Further amend the bill in section 5, in that part designated
^{line}
 "\$1573." in subsection 4, in the 4th line (3rd /in L.D.) by
 striking out the underlined words and punctuation ", and that the
 misconduct was serious"

Further amend the bill in section 5, in that part
 designated "1573." in subsection 4, in the 6th line (last line
 in LD) by striking out the underlined word "serious"

COMMITTEE AMENDMENT " A" to S.P. 494, L.D. 1429

-3-

Statement of Fact

This amendment changes the method of compensation of the members of the board. It provides that only the whole board, and not individual members, may issue subpoenas. The amendment adds a new provision which prevents the early release of prisoners convicted of certain crimes involving death or serious injury or which were committed with the use of a dangerous weapon. The amendment also changes the wording of/section 1573, to indicate that early release is only a possibility for each prisoner. Finally, the amendment provides that any misconduct, not just serious misconduct shall be grounds for postponement of a scheduled release date.

Majority of the
Reported by the/Committee on Judiciary.

Reproduced and distributed pursuant to Senate Rule 11-A.

May 22, 1981

(Filing No. S-280)