

# MAINE STATE LEGISLATURE

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L.D. 1779

(Filing No. S-269)

STATE OF MAINE  
SENATE  
111TH LEGISLATURE  
FIRST REGULAR SESSION

SENATE AMENDMENT "E" to H.P. 1339, L.D. 1779,  
Bill, "AN ACT to Amend the Statutes Regarding Correc-  
tions."

Amend the bill by striking out all of section 39.

Further amend the bill in section 42 in subsec-  
tion 3 in the first line (page 26, line 33 in L.D.)  
by striking out the underlined word "shall" and  
inserting in its place the underlined word 'may'

Further amend the bill in section 42 in subsec-  
tion 3 in paragraph A in the first line (page 27,  
line 1 in L.D.) by striking out the underlined word  
"shall" and inserting in its place the underlined  
word 'may'

Further amend the bill in section 42 in subsec-  
tion 3 by striking out all of paragraphs D and E.

Further amend the bill by striking out all of  
section 51.

Further amend the bill by inserting after section  
54 the following:

'Sec. 55. Mentally retarded offenders. As a  
result of the new classification process, the Depart-  
ment of Corrections will be reviewing the rehabilita-  
tion and treatment needs of all committed offenders,  
and expects that there may be special needs of men-  
tally retarded offenders.

It is the intent of the Legislature that the  
department evaluate the needs of these inmates, in  
consultation with the Department of Mental Health and  
Mental Retardation. If the Department of Correc-

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1 tions, after study, determines that a program is  
2 necessary to meet these needs, it shall submit the  
3 necessary legislation, together with any required  
4 funding recommendations, to the Legislature for its  
5 approval.'

6 Further amend the bill in section 55 by striking  
7 out all of the last line and inserting in its place  
8 the following:

9 'All Other \$4,275 \$8,550'

10 Further amend the bill by renumbering the sec-  
11 tions to read consecutively.

12 FISCAL NOTE

13 This amendment will remove language which would  
14 have created dedicated revenue and eliminates any  
15 loss to the General Fund. Language is also included  
16 which will require legislative approval before any  
17 funds are expended or obligated for a correctional  
treatment program or facility for mentally retarded  
18 offenders. The appropriation has been increased to  
19 cover the cost of allowing the commissioner to give  
20 indigent offenders no more than \$50 when they are  
21 released from the Maine Correctional Center.  
22

23 STATEMENT OF FACT

24 This amendment eliminates the provision that  
25 funds received from boarding inmates from the federal  
26 correctional system accrue to the facility where they  
27 are housed.

28 It makes the establishment of a vocational train-  
29 ing and industries program permissive rather than  
30 mandatory and removes the language establishing a  
31 dedicated account.

32 Finally, it removes the section on a correctional  
33 treatment facility for the mentally retarded

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1 offender. Instead, an unallocated section expresses  
2 the legislative intent that the Department of Correc-  
3 tions study the needs of mentally retarded offenders,  
4 together with the Department of Mental Health and  
5 Mental Retardation, and submit any required legis-  
6 lation and funding for legislative approval.

7 4674062483

8 (Sen. Najarian)

9 NAME: *Mary Najarian*

10 COUNTY: Cumberland

Reproduced and distributed pursuant to Senate Rule 11-A  
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