

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1364, L.D. 1881, Bill, "An Act to Prorate Prison Sentences for Work Performed for Charitable Organizations"

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

**Sec. 1. 30-A MRSA §1602**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is repealed.

**Sec. 2. 30-A MRSA §1606, sub-§§1 and 2**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, are further amended to read:

**1. Participation in public works projects authorized.** The sheriff in charge of a county jail may, ~~by discretion,~~ permit certain inmates of that jail to participate in public works-related projects and improvement of property owned by charitable organizations if the public works project or property is in the county where the jail is located. The sheriff may request payment from charitable organizations for the transportation of the prisoners and for the transportation and per diem compensation for any guards who accompany the prisoners. For the purposes of this section, "charitable organization" means any nonprofit organization organized or incorporated in this State or having a principal place of business in this State that is exempt from federal income taxation under the United States Internal Revenue Code of 1986, Section 501(a), because the nonprofit organization is described in the United States Internal Revenue Code of 1986, Section 501(c)(3). Before an inmate is permitted to participate in this type of project, the judge or justice who originally sentenced the inmate to the county jail must sign an approval to the inmate's participation.

2           2. **Sentence prorated.** Inmates participating in a public  
works-related project or an improvement of property owned by a  
4 charitable organization under this section shall have their  
sentences to the jail prorated at the rate of one day removed  
6 from the sentences for every 16 hours of participation in the  
project.'

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#### STATEMENT OF FACT

12           This amendment repeals the Maine Revised Statutes, Title  
30-A, section 1602, and incorporates its provisions into Title  
14 30-A, section 1606. Work for charitable organizations,  
previously authorized under Title 30-A, section 1602, become  
16 authorized under Title 30-A, section 1606, and such work  
qualifies for proration of sentences under existing language in  
18 Title 30-A, section 1606. The definition of charitable  
organization, previously not specified in Title 30-A, section  
20 1602, is specified in Title 30-A, section 1606. Work for  
charitable organizations must be authorized by the sentencing  
22 judge under section 1606; such authorization was issued by the  
county commissioners in Title 30-A, section 1602.

Reported by the Joint Select Committee on Corrections  
Reproduced and distributed under the direction of the Clerk of the  
House  
1/25/90                           (Filing No. H-742)