



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 782

H.P. 545

House of Representatives, February 22, 1991

Submitted by the Department of the Attorney General pursuant to Joint Rule 24. Reference to the Committee on Judiciary suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative COTE of Auburn. Cosponsored by Representative MELENDY of Rockland, Senator MILLS of Oxford and Senator GAUVREAU of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-ONE

An Act to Correct Language in the Laws Governing Intensive Supervision.

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

Sec. 1. 17-A MRSA §1261, sub-§1, as enacted by PL 1985, c. 821, §15, is amended to read:

6 1. Α sentence to imprisonment with ŧhe intensive supervision confinement outside means a sentence to an 8 institution under a set of rigorous conditions imposed at the It is an alternative to imprisonment time of sentencing. 10 institutional confinement which may be imposed in accordance with this chapter following a period of imprisonment institutional 12 confinement or as the initial unsuspended portion of a split sentence. It is a sentencing alternative available to the courts 14 for those persons who would otherwise have been sentenced to institutional confinement.

Sec. 2. 17-A MRSA §1262, sub-§4, as enacted by PL 1985, c. 18 821, §15, is amended to read:

20 If, during the initial unsuspended term not served on 4. intensive supervision, the defendant violates the criminal law or 22 is otherwise deemed determined to no longer be suitable for participation in the Intensive Supervision Program or the 24 Intensive Supervision Program is deemed determined to no longer be suitable for the defendant, the Department of Corrections 26 shall petition the court to terminate-the-intensive-supervision portion-of-the-defendant-s--sentence require the defendant to 28 serve in institutional confinement the full length of the unsuspended term of imprisonment. If, during the initial 30 unsuspended term not served on intensive supervision, the defendant does not conform his the defendant's conduct to institutional rules, the Department of Corrections may petition 32 the court to terminate-the-intensive-supervision-portion-of-the defendant's---sentence require the defendant to serve in 34 institutional confinement the full length of the unsuspended term 36 of imprisonment.

STATEMENT OF FACT

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This bill corrects imprecise language in the law. It does not substantively change the present law.