

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

Legislative Document

No. 1269

H.P. 878

House of Representatives, March 25, 1991

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

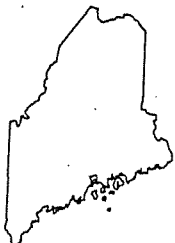
Presented by Representative PARADIS of Augusta.

Cosponsored by Senator MATTHEWS of Kennebec, Representative RICHARDS of  
Hampden and Representative HANLEY of Paris.

STATE OF MAINE

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

**An Act to Notify the Probation Officer and the Probationer When a  
Motion Is Filed to Terminate Probation at a Time Earlier Than That  
Provided for in the Sentence.**



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

2  
4 17-A MRSA §1202, sub-§3, as enacted by PL 1975, c. 499, §1,  
is amended to read:

6 3. On application of the probation officer, or of the  
person on probation, or on its own motion, the court may, after a  
8 hearing upon notice to the probation officer and the person on  
10 probation, terminate a period of probation and discharge the  
convicted person at any time earlier than that provided in the  
12 sentence made pursuant to subsection 1, if warranted by the  
conduct of such person. Such termination and discharge shall  
14 serve to relieve the person on probation of any obligations  
imposed by the sentence of probation.

16  
18  
20 **STATEMENT OF FACT**

At the present time, there is no provision for the court to  
22 notify the supervising probation officer or the probationer when  
either petition the court for an early discharge. This bill  
24 requires that, prior to terminating the probation period, the  
court must hold a hearing and provide notice of the hearing to  
26 both the probationer and the probation officer.