

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)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48

STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1078, L.D. 1572, Bill, "An Act to Amend the Laws Governing the Intensive Supervision Program"

Amend the bill by inserting after the title the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, certain provisions of the Intensive Supervision Program raise constitutional concerns and should be amended immediately; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Further amend the bill by striking out all of sections 2 to 7 and inserting in their place the following:

'Sec. 2. 17-A MRSA §1262, sub-§6, as enacted by PL 1985, c. 821, §15, is repealed.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

FISCAL NOTE

This bill grants good time deductions to offenders on intensive supervision. Granting good time deductions may reduce the length of time an offender serves on intensive supervision, thereby permitting other eligible offenders to be placed into the intensive supervision program. This may contribute toward reducing the level of prison overcrowding, but would not result

2 in General Fund savings at this time. The cost per day for a
client in the Intensive Supervision Program is \$10.84, while the
4 average cost per day for an adult in a state correctional
institution is \$58.'

6

STATEMENT OF FACT

8

10 The amendment removes provisions in the bill that allow the
Department of Corrections to place certain offenders on intensive
supervision administratively. Those provisions raise
12 constitutional concerns.

14 The amendment clarifies provisions in the bill that grant
good time deductions to offenders on intensive supervision.
16 Present law, which prohibits good time deductions, raises
constitutional concerns for certain offenders on intensive
18 supervision.

Reported by the Joint Select Committee on Correction
Reproduced and distributed under the direction of the Clerk of the House
(5/22/91) (Filing No. H-398)