

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)



115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2224

H.P. 1577

House of Representatives, January 27, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Joint Select Committee on Corrections suggested and ordered printed.

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

EDWIN H. PERT, Clerk

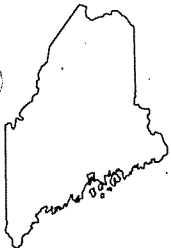
Presented by Representative ANTHONY of South Portland.

Cosponsored by Representative MANNING of Portland, Senator BUSTIN of Kennebec and Representative RICHARDS of Hampden.

STATE OF MAINE

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

An Act to Reinstate a System of Parole.



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

2 **Sec. 1. 17-A MRSA §1252, sub-§9** is enacted to read:

4 9. For purposes of this section and sections 1253, 1254 and
6 1256, time served on parole as authorized by Title 34-A, section
8 5803-A is deemed to be imprisonment.

10 **Sec. 2. 17-A MRSA §1257-A, first ¶,** as enacted by PL 1985, c.
12 266, §1, is amended to read:

14 A victim of any Class A, B or C crime for which the
16 perpetrator is committed to the Department of Corrections may
18 receive notice of that person's release from custody, including
20 parole, furloughs or work-release programs, upon complying with
22 this section, unless the Department of Corrections determines
24 that giving this notice could pose a threat to the safety of the
26 sentenced person.

28 **Sec. 3. 34-A MRSA §5801,** as enacted by PL 1983, c. 459, §6,
30 is amended to read:

32 **§5801. Applicability**

34 This subchapter applies only to those persons in the custody
36 of the Department of Corrections pursuant to a sentence imposed
38 under the law in effect prior to May 1, 1976, and to those
40 persons in the custody of the Department of Corrections pursuant
42 to a sentence imposed under Title 17-A on or after September 1,
44 1992.

46 **Sec. 4. 34-A MRSA §5802, sub-§2,** as enacted by PL 1983, c.
48 459, §6, is amended to read:

50 **2. Custody and control.** While on parole, the parolee is
under the custody of the warden or superintendent of the
institution from which he the parolee was released, but under the
immediate supervision of and subject to the rules of the division
or any special conditions of parole imposed by the board.
Special conditions of parole may include but are not limited to
electronic monitoring or other forms of intensive supervision.

Sec. 5. 34-A MRSA §5803-A is enacted to read:

§5803-A. Prisoners sentenced under Title 17-A

1. Application. This section applies to parole only for
persons in the custody of the Department of Corrections pursuant
to a sentence imposed under Title 17-A, section 1252 on or after
September 1, 1992.

2 parole. The bill authorizes electric monitoring or other forms
of intensive supervision as special conditions of parole.

4 The bill requires rulemaking by the State Parole Board to
6 implement the new parole provisions and requires the board
jointly with the Department of Corrections to submit a report,
8 including legislation, making recommendations necessary to
implement the system.