

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1993

Legislative Document

No. 1593

S.P. 557

In Senate, December 27, 1993

An Act to Amend the Conditions of Probation.

Submitted by the Department of Corrections pursuant to Joint Rule 24.
Received by the Secretary of the Senate on December 27, 1993. Referred to the Joint Select Committee on Corrections and 1200 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.
Cosponsored by Representative: CLUKEY of Houlton.

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

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3 Sec. 1. 17-A MRSA §1204, sub-§1-B, as enacted by PL 1991, c.
4 783, §1, is amended to read:

6 1-B. Upon the request of the Department of Corrections, the
7 court shall attach as a condition of probation or intensive
8 supervision that the convicted person pay an electronic
9 monitoring fee, a substance testing fee or both, as determined by
10 the court, for the term of probation or intensive supervision
11 unless the court determines that the convicted person does not
12 have the financial resources to pay these fees. Funds received
13 from probationers or those sentenced to intensive supervision
14 must be deposited into the department's Correctional Program
15 Improvement Fund, except that where authorized by the Department
16 of Corrections, a person on probation or sentenced to intensive
17 supervision may be required to pay fees directly to a provider of
18 electronic monitoring, drug testing or other services. These
19 funds Funds from this account, which may not lapse, must be used
20 to defray costs associated with the purchase and operation of
21 electronic monitoring and substance testing programs, including
22 costs associated with those programs for people who do not have
23 the financial resources to pay the fees.

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STATEMENT OF FACT

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29 This bill allows the Department of Corrections to require a
30 person on probation to pay directly to a provider of electronic
31 monitoring, drug testing or other services fees charged for
32 services which are part of the conditions of probation. The
33 intent of this change is to save the department the expense of
34 collecting, accounting for and disbursing these funds.

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35 This bill also places the funds collected in a nonlapsing
36 account, which is consistent with the treatment of funds
37 collected from participants in the supervised community
38 confinement program.

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45 This document has not yet been reviewed to determine the
46 need for cross-reference, stylistic and other technical
amendments to conform existing law to current drafting standards.