

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 1309

H.P. 928

House of Representatives, April 12, 1995

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**An Act to Regulate Bank Accounts of Clients of the Department of  
Corrections.**

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative THOMPSON of Naples.  
Cosponsored by Representative: PENDLETON of Scarborough, Senators: HALL of  
Piscataquis, O'DEA of Penobscot.

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

4 **Sec. 1. 34-A MRSA §3039, sub-§1**, as amended by PL 1991, c.  
5 314, §45, is further amended to read:

6 **1. Accounts.** The ~~chief-administrative-officer~~ commissioner  
7 shall ~~premulgate~~ adopt rules for use of the clients' account.  
8 These rules ~~must~~ may include a provision allowing a client to  
9 remove that client's money from the clients' account and place it  
10 in ~~any-type-of~~ an investment outside the facility ~~chosen-by-the~~  
11 ~~client.~~ The rules may prohibit the removal of a client's money  
12 from the clients' account if it might create a risk to safety,  
13 security or orderly management of the facility as determined by  
14 the commissioner. The rules may require that a client provide to  
15 the chief administrative officer a record of all transactions in  
16 any outside investment maintained by or on behalf of the client.  
17 The chief administrative officer shall keep a record of all money  
18 in the clients' account and is responsible for safekeeping of the  
19 money while the client is in the custody of the department and  
20 for the delivery of that money to the client upon the client's  
21 discharge.

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25 **STATEMENT OF FACT**

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27 **28** This bill allows the Department of Corrections the  
29 discretion to more adequately control the disbursement and  
30 intended uses of a client's money to prevent abuses and other  
problems.