

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 457

H.P. 341

House of Representatives, January 14, 1999

**An Act to Increase the Sanctions for Criminal Mischief Within a
Correctional Facility.**

Submitted by the Department of Corrections pursuant to Joint Rule 204.
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 McALEVEY of Waterboro.
Cosponsored by Senator FERGUSON of Oxford and
Representatives: BROOKS of Winterport, DUNLAP of Old Town, HATCH of Skowhegan,
LINDAHL of Northport, MUSE of South Portland, POVICH of Ellsworth, TUTTLE of
Sanford, Senator: MITCHELL of Penobscot.

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

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Sec. 1. 17-A MRSA §1256, sub-§1, as amended by PL 1993, c. 522, §1, is further amended to read:

1. Other provisions of this section notwithstanding, when a person subject to an undischarged term of imprisonment is convicted of a violation of section 752-A, 755 or 757 or of any other crime against the person of a member of the staff of the institution in which the convicted person was imprisoned or of a violation of section 806 involving government property in the institution in which the convicted person was imprisoned or any other crime against government property in the institution in which the convicted person was imprisoned, or of an attempt to commit any of the crimes mentioned in this subsection, the sentence is not concurrent with the undischarged terms of imprisonment. The court may order that the undischarged terms of imprisonment be tolled and service of the nonconcurrent sentence commence immediately and the court shall so order if any undischarged term of imprisonment is a split sentence. No portion of the nonconcurrent sentence may be suspended. All sentences that the convicted person receives as a result of the crimes mentioned in this subsection must be nonconcurrent with all other sentences.

SUMMARY

This bill requires a sentence for criminal mischief or any other crime involving damage or destruction of government property within a state or county correctional facility to be nonconcurrent with the offender's original sentence.