

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 67

H.P. 65

House of Representatives, January 9, 2007

### An Act To Reduce the Cost of the Operation of County Jails

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Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CROCKETT of Augusta.  
Cosponsored by Senator McCORMICK of Kennebec and  
Representatives: CONOVER of Oakland, FLOOD of Winthrop, HANLEY of Gardiner,  
PLUMMER of Windham, RAND of Portland, TREAT of Farmingdale, Senators: MITCHELL  
of Kennebec, NASS of York.

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

2 **Sec. 1. 17-A MRSA §1203, sub-§1-A, ¶C**, as enacted by PL 1999, c. 788, §4, is  
3 amended to read:

4 C. As to both the suspended and unsuspended portions of the sentence, the place of  
5 imprisonment must be as follows.

6 (1) For a ~~Class D or~~ Class E crime the court must specify a county jail as the  
7 place of imprisonment. For a Class D crime, the court must specify a county jail  
8 as the place of imprisonment for a sentence of less than 6 months. For a sentence  
9 of 6 months or more, the court must commit the person to the Department of  
10 Corrections.

11 (2) For a Class A, Class B or Class C crime the court must:

12 (a) Specify a county jail as the place of imprisonment for any portion  
13 of the sentence that is less than 6 months or less; and

14 (b) Commit the person to the Department of Corrections for any  
15 portion of the sentence that is more than 6 months or more.

16 **Sec. 2. 17-A MRSA §1252, sub-§1, ¶A**, as enacted by PL 1989, c. 693, §5, is  
17 amended to read:

18 A. For a ~~Class D or~~ Class E crime the court must specify a county jail as the place  
19 of imprisonment.

20 **Sec. 3. 17-A MRSA §1252, sub-§1, ¶B**, as enacted by PL 1989, c. 693, §5, is  
21 amended to read:

22 B. For a Class A, Class B ~~or~~, Class C or Class D crime the court must:

23 (1) Specify a county jail as the place of imprisonment if the term of  
24 imprisonment is less than 6 months or less; or

25 (2) Commit the person to the Department of Corrections if the term of  
26 imprisonment is more than 6 months or more.

27 **SUMMARY**

28 This bill provides that for a Class A, Class B, Class C or Class D crime the court  
29 must specify a county jail as the place of imprisonment if the term of imprisonment is less  
30 than 6 months and must commit the person to the Department of Corrections if the term  
31 of imprisonment is 6 months or more. In the case of a split sentence, it provides that for a  
32 Class D crime, the court must specify a county jail as the place of imprisonment for a  
33 sentence of less than 6 months and must commit the person to the Department of  
34 Corrections for a sentence of 6 months or more. Also in the case of a split sentence, for a  
35 Class A, Class B or Class C crime the court must specify a county jail as the place of  
36 imprisonment for any portion of the sentence that is less than 6 months and commit the  
37 person to the Department of Corrections for any portion of the sentence that is 6 months  
38 or more.