

MAINE STATE LEGISLATURE

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N I N E T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 1660

S. P. 645

Committee on Judiciary suggested.

In Senate, January 13, 1958

CHESTER T. WINSLOW, Secretary

Presented by Senator Butler of Franklin

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-EIGHT

AN ACT Relating to Liberation of Convicts Unable to Pay Fine or Costs.

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

Sec. 1. R. S., c. 149, § 42, re-enacted. Section 42 of chapter 149 of the Revised Statutes, as repealed by section 1 of chapter 254 of the public laws of 1957, is re-enacted to read as follows:

'Convicts.

Sec. 42. Convict, unable to pay fine or costs, liberated. Except when otherwise expressly provided, any convict sentenced to pay a fine or costs or both and committed for default thereof and for no other cause shall be given a credit of \$1 on such fine or costs or both for each day during which he shall be confined and shall be discharged at such time as the said credits or such credits as have been given and money paid in addition thereto shall equal the amount of the fine or costs or both, but no convict shall serve more than 11 months to discharge his liability under any single fine or costs or both, and in such case no further action shall be taken to enforce payment of said fine or costs or both.'

Sec. 2. Application. The benefits of section 42 of chapter 149 of the Revised Statutes shall apply to all persons committed for nonpayment of fines or costs or both on and after August 28, 1957, and any confinement between the effective date of this action and August 28, 1957, shall be computed in determining the eligibility of any convict now detained to be liberated.

SUMMARY STATEMENT

The 98th Legislature in regular session repealed a provision of law whereby a convict sentenced to pay a fine or costs and committed to jail for default could be liberated by giving his note. The repeal leaves no provision for the release of such a convict. The purpose of this bill is to correct the error of the last legislative session.