

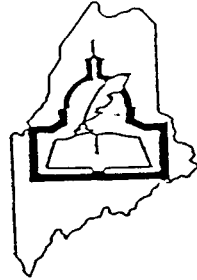
# MAINE STATE LEGISLATURE

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STATE OF MAINE  
114TH LEGISLATURE  
FIRST REGULAR SESSION



BILL SUMMARY  
JOINT SELECT COMMITTEE  
ON  
CORRECTIONS

JULY 1989

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Sen. Zachary E. Matthews  
Sen. Thomas R. Perkins

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Rep. Peter J. Manning  
Rep. Joseph W. Mayo  
Rep. Cushman D. Anthony  
Rep. Carl B. Smith  
Rep. Susan E. Dore  
Rep. Ernest C. Greenlaw  
Rep. Michael F. Hepburn  
Rep. Barbara E. Strout  
Rep. Jack L. Libby

\* Denotes Chair

Staff: Annika Lane, Legislative Analyst  
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ROBERT W. DUNN, RES. ASST  
HARTLEY PALLESCHI, JR., RES. ASST

ONE HUNDRED AND FOURTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1989

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GILL BRANNIGAN ANTHONY MANNING	OTP	S-272 BUSTIN

SUMMARY

This bill provides for the establishment of a secure treatment unit at the Maine Youth Center to house and treat youths who cannot be effectively housed or treated within the existing housing units at the center. It targets a specific population of juvenile clients who pose a security risk and who do not respond to existing services provided by the center.

Programs within this facility shall include, but not be limited to, the following: emphasis on rehabilitation; psychological counseling; after-care and follow-up services; and educational services.

The Senate Amendment added a fiscal note indicating that the \$5,020,000 cost of renovations for a 25 to 40 bed facility were in another bond issue bill. It estimated that the annual cost when completed would be approximately \$910,000.

The bill did not receive final approval from the Appropriations Committee.

**LD 265** An Act to Clarify and Make Changes to the Statute Governing the Operation of the Department of Corrections

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GILL PERKINS MANNING HIGGINS	OTP-AM	S-50 S-55 BUSTIN

SUMMARY

This bill does the following:

1. Changes sections of the statutes dealing with reimbursement procedures for supporting prisoners in county jails.
2. Authorizes the Commissioner to accept U.S. prisoners and juveniles for confinement in state correctional facilities even though the term of imprisonment is one year or less.
3. Clarifies the commissioner's authority to establish industries programs.
4. Removes recreation as a prisoner right.
5. Ensures that regular observations of persons in segregation for a period of time exceeding 24 hours are made when the facility physician or medical staff member is not present at the facility.
6. Extends the commissioner's authority to permit the use of prisoner labor in public works projects and in civil service such as fighting fires, etc. to include those prisoners in all state correctional facilities.

7. Clarifies what constitutes escape from a work assignment.
8. Makes it clear that a dependent child of a female committed offender receives the same protection as a dependent child of a male committed offender.
9. Corrects a misconception in the classification process.
10. Adds language to make it clear that those officers who perform intensive supervision program functions have the same authority as other probation and parole division officers.

Committee Amendment "A" (S-50) clarifies the language relating to receipt of U.S. prisoners or adjudicated juveniles for confinement in a state correctional facility. The amendment also allows staff persons who have received in-service training from a licensed health professional to visit confined prisoners in lieu of a physician or medical staff member.

Senate Amendment "A" (S-55) corrects a technical omission.

**LD 308      An Act to Provide for the State Administration and Operation      LV/WD**  
**of the Androscoggin County Jail**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
BERUBE	LV/WD	
DORE		

SUMMARY

This bill would have given administrative and operational control of the Androscoggin County Jail to the Department of Corrections. The State would have been required to assume all costs of that administration and operation. The bill was withdrawn given the committee's support of LD 1189, An Act to Transfer Jurisdiction over County Jails from County Government to the Department of Corrections.

**LD 501      An Act to Encourage Development and Use of Community      CARRY OVER**  
**Corrections Programs**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
CONLEY	OTP-AM	H-207
OLIVER		

SUMMARY

This bill amends the existing correctional program improvement fund to include funding for private provider programs that target offenders who would otherwise be incarcerated but who pose no threat to the safety of the community.

Committee Amendment "A" replaces the bill with language establishing a pilot community sentencing options unit within the Division of Probation and Parole. Officers working within the unit will include recommendations to judges for community sentencing options within presentence investigation reports for all felony offenders. The amendment also provides funds for expanded community-based services for adult committed offenders.

The committee has carried over the bill.