

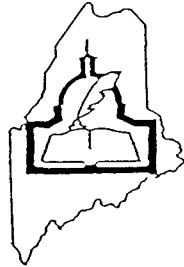
MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARIES
JOINT SELECT COMMITTEE
ON
CORRECTIONS

JUNE 1990

MEMBERS:

*Sen. Beverly Miner Bustin
Sen. Zachary E. Matthews
Sen. Thomas R. Perkins

*Rep. Rita B. Melendy
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

Staff:
Paul J. Saucier, Legislative Analyst

Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670

*Denotes Chair

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
GILBERT W. BREWER
TODD R. BURROWES
GRO FLATEBO
DEBORAH C. FRIEDMAN
JOHN B. KNOX



PATRICK NORTON
HARTLEY PALLESCHI
MARGARET J. REINSCH
PAUL J. SAUCIER
JOHN R. SELSER
HAVEN WHITESIDE
JILL IPPOLITI, RES. ASST.
BARBARA A. MCGINN, RES. ASST.
BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**One Hundred and Fourteenth Legislature
Second Regular Session**

**Joint Standing Committee
Bill Summaries**

June 1990

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. 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 or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, 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.

Joint Select Committee on Corrections

LD 43 **An Act Relating to the Maine Correctional Advisory
Commission (Reported Pursuant to Joint Order, SP16)**

**PUBLIC 808
EMERGENCY**

SPONSOR(S)

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-618

SUMMARY

This bill was carried over from the First Regular Session. The bill replaces the existing correctional advisory body with a larger commission and gives it greater responsibilities and staff to assist it in carrying out the responsibilities.

Committee Amendment "B" reduces the number of members on the commission, makes staff positions optional, reduces the commission's duties, removes the appropriation section and adds a fiscal note which indicates that costs will be absorbed within existing budgets.

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

ONTP

SPONSOR(S)
CONLEY
OLIVER

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

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 offer 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 bill was carried over from the First Regular Session. The Committee reviewed its actions on the bill and voted it out "ONTP."

LD 723 **An Act to Amend County Jail Transfers and the Community
Corrections Laws**

PUBLIC 887

SPONSOR(S)
GAUVREAU
DORE
GREENLAW

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-519
S-711 PEARSON

SUMMARY

This bill was carried over from the First Regular Session. The bill increases the length of sentences which must be served in county jails from 9 months to 1 year. The bill also prohibits using the County Correctional Improvement Account for capital improvements.

Committee Amendment "B" replaces the original bill. It provides provisions for transferring prisoners from one county jail to another or, from a county jail to a state facility and specifies the mechanism by which receiving facilities are reimbursed in such transfers. It also broadens the definition of "community corrections" to include juvenile diversion programs, housing and electronic monitoring.

The amendment also provides state reimbursement to counties for capital improvement costs associated with community corrections laws. County use of the Correctional Improvement Account is broadened to include operating costs, and a provision is added which requires the Department of Corrections to place 30% of county reimbursement funds into a grant program for the development of new community corrections programs for juveniles and adults.

Senate Amendment "B" amends Committee Amendment "B". The provision regarding capital reimbursement is eliminated and the grant program is replaced with a system whereby 30% of reimbursement will be held back by the Department to be released to each county when the county demonstrates that the funds will be used to develop community corrections programs. The amendment eliminates the future costs associated with Committee Amendment "B".

LD 1189 An Act to Transfer Jurisdiction over County Jails from County Government to the Department of Corrections DIED BETWEEN BODIES

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MARTIN J	OTP-AM MAJ	
CARTER	ONTP MIN	
MCHENRY		
BERUBE		

SUMMARY

This bill was carried over from the First Regular Session. The bill transfers county jails, including their assets and debts from the counties to the Department of Corrections.

Committee Amendment "A" makes several clarifying changes to the bill. It was adopted by both bodies.

Senate Amendment "A" requires that the bill be ratified in a state-wide referendum. It was adopted by the Senate only.

The bill died in non-concurrence.

LD 1617 An Act to Allow Sheriffs' Departments to Transport Juveniles to State-approved Treatment Facilities ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
RUHLIN	ONTP	

SUMMARY

The bill allows sheriffs to transport juveniles to treatment facilities on the written approval of the juvenile's parents and a written indication that the facility will accept the juvenile.