

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. Thomas R. Perkins

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* Denotes Chair

Staff: Annika Lane, Legislative Analyst
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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.

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

CARRY OVER

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
MARTIN J	OTP-AM MAJ	H-445 MAJ REP
CARTER	ONTP MIN	
MCHENRY		
BERUBE		

SUMMARY

The purpose of the original bill was to transfer jurisdiction over the county jails, including their facilities, debts and obligations, from the counties to the Department of Corrections.

The committee amendment to the bill did not alter the original intent. It more clearly specified the changes which needed to be made in the present county jail statutes and provided the organizational detail to allow the Department of Corrections to administer the take over. The bill provides funds for the department to begin the planning process for the transfer this year. The actual transfer would take place on January 1, 1991.

LD 1356 An Act to Authorize County Commissioners to Provide
Additional Facilities for Prisoners

PUBLIC 321
EMERGENCY

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
MANNING	OTP-AM	H-373
BUSTIN		
MELENDY		
PERKINS		

SUMMARY

The bill authorizes county commissioners to buy, lease or otherwise acquire the use of facilities to house low-risk, minimum-security prisoners. It also specifies that community correctional funds may be expended for this purpose and to fund programs at these additional facilities. Since these additional facilities will be used for low-risk prisoners, cells in secure facilities will be freed for the use of high-risk prisoners.

The bill also requires the Commissioner of Corrections to set state standards for additional facilities, just as the commissioner is presently required under the Maine Revised Statutes, Title 34-A, section 1208, to set standards for county jails and other detention facilities. Applicable state standards will likely be different from those for the county jail and may well vary depending on the type of the additional facility and its intended use. The commissioner is given maximum flexibility in setting standards for the additional facilities and in the enforcement of those standards.

The committee amendment strikes the language in the bill stating that the facilities may be used for programs and replaces it with a sentence requiring that the prisoners placed in these facilities "be involved in restitution, work release, or educational release or rehabilitative programs."