

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT SELECT COMMITTEE
ON
CORRECTIONS**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were 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.

If you have any suggestions or comments on these summaries, please let us know.

An Act to Notify the Probation Officer and the Probationer When a Motion Is Filed to Terminate Probation at a Time Earlier Than That Provided for in the Sentence

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PARADIS P	OTP-AM	H-207
MATTHEWS		H-337 ANTHONY
RICHARDS		
HANLEY		

SUMMARY

This bill requires that, prior to terminating a client's probation, the court hold a hearing and notify the probation officer of the hearing, giving the probation officer an opportunity to comment on termination.

Committee Amendment "A" (H-207) adds a fiscal note to the bill, indicating that the court may require additional appropriations in order to hold hearings and provide notice.

House Amendment "A" (H-337) replaces the original bill and Committee Amendment A. It requires that a probationer must notify the probationer's probation officer when a motion is made to terminate probation, and the court may not order termination unless the probationer has provided the notice. Because the probationer is responsible for the notice and the hearing requirement is eliminated, this amendment obviates the need for a fiscal note.

An Act to Establish a Home-Release Monitoring Program for Certain Inmates Sentenced to County Jails

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MANNING	OTP-AM	H-243
ANTHONY		
BUSTIN		
GAUVREAU		

SUMMARY

This bill provides statutory authority to counties to establish community home-release monitoring programs for certain prisoners of county jails.

Committee Amendment "A" (H-243) adds an emergency preamble to the bill and moves the language to a more appropriate location in the statutes. For sentences of 30 days or more, the amendment reduces the amount of time that must be served prior to home-release from 2/3 to 1/2 of the sentence, and clarifies that good time and other earned deductions are counted when calculating how much of a sentence has been served. The amendment also removes a provision in the bill which prohibits inmates on home-monitoring from receiving good time. The amendment also adds a fiscal note to the bill.