

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT SELECT COMMITTEE
ON
CORRECTIONS

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 far right of the title. Various types of final action are abbreviated as follows:

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

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, especially Laurette Knox who coordinated preparation of the overall document.

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

Joint Select Committee on Corrections

LD 1396 **An Act to Establish the Maine Correctional Institution -
Warren**

PUBLIC 656

SPONSOR(S)

GILL
BUSTIN
MELENDY
NORTON

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

S-549

SUMMARY

The original bill sets up the new maximum security prison at Warren as a separate institution.

Committee Amendment "A" makes that facility a unit of the State Prison.

LD 1447 **An Act to Create the Commission on Transferring County Jails
to the State**

INDEF PP

SPONSOR(S)

MARTIN J
KETOVER
BERUBE
JOSEPH

COMMITTEE REPORT

OTP-AM MAJ
ONTP MIN

AMENDMENTS ADOPTED

H-1037 ANTHONY
H-979 MAJ REP

SUMMARY

This bill transfers jurisdiction over the county jails, including their facilities, debts and obligations, from the counties to the Department of Corrections.

Committee Amendment "A" eliminates the substantive law provisions, which transferred the county jails to the State and, instead, sets up a commission to develop the method and timetable for implementing the transferral. The commission is required to make an interim report by April 15, 1993 and a final report with recommended statutory changes by January 1, 1994.

House Amendment "A" (H-1010) to Committee Amendment "A" requires that before the commission may develop a plan to accomplish the transfer the commission must first conduct a study of the feasibility of a transfer.

House Amendment "B" (H-1037) to Committee Amendment "A" is the same as House Amendment "A".

LD 2004 **An Act to Divert Juvenile Offenders from Secure Detention**

PUBLIC 690

SPONSOR(S)

BUSTIN

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

S-556

SUMMARY

Under current law the Department of Corrections is to reimburse counties for the cost of county jail prisoners. Thirty percent of this reimbursement is to be retained by the Department until the county demonstrates that these funds will be used for correctional services that are the least restrictive consistent with public safety. Two thirds of these retained funds are to be released on demonstration of an acceptable adult program and one third upon demonstration of a juvenile diversionary program.

The original bill changes the 30% retention to 50% and the adult/juvenile ratio from 2/3 - 1/3 to 1/2 - 1/2. It also provides that funds not spent by a county within 3 years would revert to a pool available on application to other counties.

Committee Amendment "A" eliminates the change from 30% to 50% and the requirement that the juvenile program be for diversionary services. It also provides that funds need only be committed by the county, not expended, to be protected from the 3 year time deadline.

LD 2063 An Act to Make Electronic Monitoring and Substance Testing Programs Economically Feasible

**PUBLIC 783
EMERGENCY**

SPONSOR(S)

MANNING
BUSTIN
ANTHONY
LARRIVEE

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-1126

SUMMARY

The original bill requires that persons on probation or intensive supervision under the Department of Corrections must pay for any electronic monitoring or substance abuse testing, unless they lack the financial resources.

Committee Amendment "A" requires, rather than allows, the funds raised from this provision be spent on these programs. It adds a provision that allows the fee to cover costs associated with providing this monitoring to persons who can not afford to pay the fee. It also amends the law regarding persons under a county home-release program from allowing the court to require that these persons pay for the monitoring program to mandating that the court require this payment and specifically referring to electronic monitoring and substance abuse testing.

LD 2130 Resolve, to Develop a Plan for a Coordinated System of Sanctions and Services for Convicted Sex Offenders

ONTP

SPONSOR(S)

ANTHONY
BUSTIN
OTT
FARNSWORTH

COMMITTEE REPORT

ONTP

AMENDMENTS ADOPTED

SUMMARY

This resolve directs the Department of Corrections to undertake a study to develop a plan designed to provide a continuum of treatment and services for convicted sex offenders that attempts to prevent repeat offenses. The study will examine the feasibility of instituting alternatives in sentencing and housing convicted sex offenders. The department is to submit its report by November 1, 1992.