

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT SELECT COMMITTEE
ON
CORRECTIONS

MAY 1994

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

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, 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

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

that certain victims of crimes may receive notice of the perpetrator's release on parole. The bill authorizes electric monitoring or other forms of intensive supervision as special conditions of parole.

The bill requires rulemaking by the State Parole Board to implement the new parole provisions and requires the board to submit jointly with the Department of Corrections a report, including legislation, making recommendations necessary to implement the system.

LD 1181 An Act to Establish a Demonstration Project Transferring ONTP
County Jail Operations to the State

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PLOURDE DUTREMBLE D	ONTP	

SUMMARY

This bill transfers responsibility for operation of county jails, including debts and other long-term obligations, from the counties to the Department of Corrections effective July 1, 1997. The bill directs the Commissioner of Corrections to establish up to 3 demonstration projects to test the provisions of this Act and the costs involved in their implementation. A report on the demonstration projects is due to the Legislature by January 1, 1997.

LD 1497 Resolve, to Require Further Information from the Department RESOLVE 56
of Mental Health and Mental Retardation about the Plan for
Persons in the Criminal Justice System

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN	OTP-AM	S-427

SUMMARY

The original resolve requires the Department of Mental Health and Mental Retardation and the Department of Corrections to develop a proposal for a secure forensic holding unit for evaluation of prisoners and to propose alternatives to incarceration for some persons with mental illness.

The Joint Select Committee on Corrections found that the Department of Mental Health and Mental Retardation's document, "Recommendations and Report of the Task Force on Persons with Mental Disorders Involved with the Criminal Justice System," January 1993, did not adequately address all the issues posed in the resolve and did not provide implementing legislation or funding information.

COMMITTEE AMENDMENT "A" (S-427) requires that the issues in the resolve be specifically addressed and the necessary funding information be provided.

LD 1593 An Act to Amend the Conditions of Probation PUBLIC 511

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN	OTP-AM	S-408

SUMMARY

This bill allows the Department of Corrections to require a person on probation to pay directly to a provider of electronic monitoring, drug testing or other services fees charged for services which are part of the conditions of probation. The intent of this change is to save the department the expense of collecting, accounting for and disbursing these funds.

This bill also places the funds collected in a nonlapsing account, which is consistent with the treatment of funds collected from participants in the supervised community confinement program.

COMMITTEE AMENDMENT "A" (S-408) adds a fiscal note to the bill.

LD 1632 An Act to Amend the Community Correction Law

PUBLIC 517

SPONSOR(S)
CLUKEY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-738

SUMMARY

Currently, the courts are required to specify the county jail for persons convicted of Class D and E crimes and for other classes of crime for which the sentence is 9 months or less. The Department of Corrections is required to reimburse the jails for those prisoners, except that in fiscal years 1991-95 the obligation for this reimbursement may not exceed the amount appropriated for that purpose. It is required that 30% of the reimbursed funds claimed be used by the county for community corrections programs. This amount must be equally split between adult and juvenile corrections. Any funds not used by a county after 3 years are to be placed in a pool available to all counties on a competitive basis. This bill states that funds being retained by the Department of Corrections pending demonstration by the county of an adult community corrections program may be shifted to fund juvenile diversion programs of that county upon application by the county.

COMMITTEE AMENDMENT "A" (H-738) adds a fiscal note to the bill.

LD 1648 An Act to Amend Conditions of the Supervised Community Confinement Program

PUBLIC 503

SPONSOR(S)
KIEFFER

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-405

SUMMARY

This bill allows the Department of Corrections to require a person participating in the supervised community confinement program to pay fees directly to a provider of electronic monitoring, drug testing or other services. The intent of this change is to save the department the expense of collecting, accounting for and disbursing these funds.

COMMITTEE AMENDMENT "A" (S-405) adds a fiscal note.

LD 1656 An Act to Clarify the Method for Calculating Inmate Good Time

PUBLIC 518

SPONSOR(S)
BUSTIN

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-413

SUMMARY

Under current law:

1. A person sentenced to more than 6 months is entitled to 10 days a month good time for observing all rules.
2. A person sentenced to 6 months or less is entitled to 3 days per month.