

# 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

3. An additional 3 days per month may be earned by inmates who are assigned or participating in work, education or other responsibilities within the institution or a program that is determined to be of sufficient importance to warrant these deductions according to Department policy and guidelines.
4. An additional 2 days a month are available to inmates assigned to minimum security community programs administered by the Department.

The purpose of this bill is to clarify the method of calculating inmate good time and to provide an opportunity for minimum security prisoners at all facilities to be eligible to earn the 2 days per month of meritorious good time in order to comply with federal nondiscrimination requirements.

COMMITTEE AMENDMENT "A" (S-413) makes necessary technical and stylistic changes to the bill.

**LD 1677**

**An Act Requiring the Courts to Report to Corrections Facilities Concerning Balances Owed to the Victims' Compensation Fund**

PUBLIC 570

**SPONSOR(S)**  
PLOWMAN

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-802

**SUMMARY**

Currently, as part of the sentence, a court is required to impose assessments of \$10 to \$25 which are to go to the Victims' Compensation Fund.

The bill requires that this assessment be collected from the earned income of incarcerated persons if it has not previously been collected.

COMMITTEE AMENDMENT "A" (H-802) requires that the court notify the agency with whom a person is to be incarcerated of any uncollected assessments due the Victims' Compensation Fund.

**LD 1706**

**An Act to Revise the Execution of Certain Mandatory Consecutive Sentences**

PUBLIC 522

**SPONSOR(S)**  
HANLEY

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
S-412

**SUMMARY**

This bill addresses the problem that arises when prisoners are convicted of escape or of another crime that requires a consecutive sentence. While a consecutive sentence is usually interpreted as being served after the sentence to which it is consecutive, when the "undischarged sentence" is a split sentence, a conflict occurs between the requirement that sentences for offenses be consecutive and not suspended and the prohibition on a term of imprisonment following a split sentence.

This bill allows the court to toll the running of the prisoner's undischarged sentences so that the prisoner will serve the new sentence immediately and separately. When the prisoner completes the sentence for the new crime, the prisoner goes back into execution of the undischarged sentences. Any period of probation on the undischarged sentences must still be served and any counseling attended, restitution paid and contact with the victim avoided.

Under this bill, the court has the option to order immediate service of the new, "consecutive" sentence, and is required to do so when the prisoner is already subject to wholly or partially suspended periods of incarceration with probation.