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**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 973, L.D. 1415, Bill, “An Act To Provide Additional Deductions from a Sentence of Imprisonment for Completion of Education, Mental Health Treatment and Substance Abuse Treatment Programs”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**'Sec. 1. 17-A MRSA §1253-A** is enacted to read:

**§1253-A. Earned deductions for educational achievement and completion of treatment**

1. Subject to the limitation set forth in subsection 3, in addition to any of the other deductions available under this chapter and in accordance with the provisions of this section, any person sentenced on or after January 1, 2019 to a term of imprisonment and committed to the custody of the Department of Corrections, notwithstanding that the crime for which the person was sentenced may have been committed before January 1, 2019, may receive earned deductions for the educational achievements and completions of treatment specified in subsection 2.

A. Subject to the limitation in paragraph D, the earned deductions authorized under this section must be applied to the sentence or sentences of imprisonment controlling the person's release date at the time the deductions are awarded in a manner that accords the person the full benefit of the deductions awarded, except that the earned deductions authorized under this section may not be applied to any sentence imposed before January 1, 2019.

B. The earned deductions specified in subsection 2, paragraphs A to E are not cumulative and may be awarded only for the highest specified level of educational achievement attained by a person during the sentence or sentences of imprisonment controlling the person's release date.

C. The earned deduction specified in subsection 2, paragraph F may be awarded in addition to any other earned deduction that may be awarded pursuant to subsection 2, paragraphs A to E, G and H. The earned deduction specified in subsection 2,

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1 paragraph G may be awarded in addition to any other earned deduction that may be  
2 awarded pursuant to subsection 2, paragraphs A to F and H. The earned deduction  
3 specified in subsection 2, paragraph H may be awarded in addition to any other  
4 earned deduction that may be awarded pursuant to subsection 2, paragraphs A to G.

5 D. The earned deductions authorized under this section may not exceed 25% of any  
6 sentence to which the deductions are to be applied.

7 E. The earned deductions awarded to a person pursuant to this section may be later  
8 withdrawn by the Department of Corrections for serious disciplinary offenses  
9 specified by the department by rule and for violations of criminal law and, if  
10 withdrawn, may be restored by the department if the person's later conduct,  
11 participation in programs and fulfillment of assigned responsibilities are such that the  
12 restoration is warranted.

13 F. With respect to the earned deductions specified in subsection 2, paragraphs A to  
14 C, a person may receive a partial award of the specified earned deduction based upon  
15 the extent to which credits applicable to the specified educational achievement were  
16 earned by the person prior to the imposition of the sentence or sentences of  
17 imprisonment controlling the person's release date. A partial award of a specified  
18 earned deduction may not be less than 20% of a full award of the earned deduction.  
19 A person may not receive a partial award of the earned deductions specified in  
20 subsection 2, paragraphs D to H.

21 2. The earned deductions authorized under this section for educational achievements  
22 and completions of treatment are as follows:

23 A. For achievement by an eligible person of a bachelor's degree from an accredited  
24 institution of higher education, a deduction of 216 days from the person's sentence;

25 B. For achievement by an eligible person of an associate degree from an accredited  
26 institution of higher education, a deduction of 108 days from the person's sentence;

27 C. For achievement by an eligible person of an adult high school diploma, a  
28 deduction of 36 days from the person's sentence;

29 D. For completion by an eligible person of a general high school equivalency  
30 diploma or test authorized and approved by the Department of Corrections, a  
31 deduction of 36 days from the person's sentence;

32 E. For completion by an eligible person of a vocational, career or technical training  
33 program authorized and approved by the Department of Corrections, a deduction of  
34 72 days from the person's sentence;

35 F. For completion by an eligible person of a course of mental health programming  
36 and treatment recommended or approved by the Department of Corrections and  
37 specifically recommended for the person by clinical treatment staff of the department,  
38 a deduction of 18 days from the person's sentence;

39 G. For completion by an eligible person of a course of substance abuse programming  
40 and treatment recommended or approved by the Department of Corrections and  
41 specifically recommended for the person by clinical treatment staff of the department,  
42 a deduction of 18 days from the person's sentence; and

