

MAINE STATE LEGISLATURE

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October 22, 1962

Perry D. Hayden, Commissioner

Mental Health and Corrections

Courtland B. Perry, Assistant Atty. Gen'l.

" " " "

Inmates of State Prison and Reformatory for Men--Employment on Public Works Projects.

On October 8, 1962 you inquired of this office whether there exists any legal authority for employing inmates of the State Prison or the Reformatory for Men on work projects, within and under the control, of the several municipalities of the State.

The controlling statute in this instance is Section 3-A, Chapter 27 of the Revised Statutes of Maine, 1954, added by Chapter 242, Section 2, Public Laws of 1959, which reads in part as follows:

"The department may authorize the employment of able-bodied prisoners in the state prison or inmates of the reformatory for men in the construction and improvement of highways or other public works within the state under such arrangements as may be made with the state highway commission or other department or commission of the state having such public works in charge,"...

The language of this section is clear and unambiguous and in the opinion of this office limits the use of prisoners and inmates on public works projects to such projects, as shall be under the control of the commissions and departments of State Government, and does not extend to such use of prisoners and inmates on projects, within and under the control, of any of the several municipalities within the State.

Courtland B. Perry
Assistant Attorney General

ODP/r