

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1578

H. P. 1109

House of Representatives, April 13, 1967

Referred to Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Pendergast of Kennebunkport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

**AN ACT Permitting the Use of the Reformatory for Women for the Confinement
of Federal Prisoners.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment; and

Whereas, there is no existing effective statutory authority permitting the Reformatory for Women to receive persons convicted of crime in courts of the United States; and

Whereas, the first instance has arisen in which the Federal Bureau of Prisons has requested that the Reformatory for Women be made available for the confinement of a certain female prisoner; and

Whereas, due to the age of this prisoner and to the non-existent statutory authority the reformatory for Women is precluded from receiving such prisoner; and

Whereas, the Reformatory for Women is a suitable facility for the confinement of federal prisoners and the Federal Bureau of Prisoners is authorized to pay for such confinement; and

Whereas, the confinement of the woman prisoner aforesaid at the Reformatory for Women may forestall personal injury to such prisoner, to which she may be subject if it becomes necessary to commit her to the Federal Woman's Reformatory at Alderson, West Virginia; and

Whereas, the following legislation is vitally necessary in order to make available the Reformatory for Women for the confinement of federal prisoners for which authority a need has already arisen; and

Whereas, in the judgement of the Legislature, these facts create an emergency within th meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety ; now, therefore,

Be it enacted by the People of the State of Maine, as follows :

R. S., T. 34, § 851, amended. Section 851 of Title 34 of the Revised Statutes is amended to read as follows :

§ 851. Maintenance; age groups; confinement of federal prisoners

The State shall maintain a reformatory in which all women over the age of 16 years and under the age of 40 years who have been adjudicated juvenile offenders, or who have been convicted of or have pleaded guilty to crime in the courts of the State ~~or of the United States~~ and who have been duly sentenced and removed thereto, shall be imprisoned and detained in accordance with the sentences or orders of said courts and the rules and regulations of said reformatory. The head of the reformatory shall be a woman and be called the superintendent.

The Superintendent of the Reformatory for Women is authorized, subject to the written approval of the commissioner, to contract with the Director of the Federal Bureau of Prisons acting pursuant to Title 18, U. S. C., section 4002, for the imprisonment, subsistence, care and proper employment of women convicted of crimes against the United States, and may receive and detain any such women pursuant to such contracts.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.