

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
105TH LEGISLATURE

SENATE AMENDMENT " A " to H. P. 458, L. D. 613, Bill, "AN ACT Revising the Laws Relating to the Maine State Prison."

Amend said Bill by inserting after the enacting clause the following:

'Sec. 1. R. S., T. 34, § 552, amended. The last sentence of section 552 of Title 34 of the Revised Statutes is repealed and the following enacted in place thereof:

The warden shall cause a record to be kept of all punishments imposed upon inmates at the State Prison as provided in section 709 and rules and regulations of the State Prison; such record shall set forth the reasons for the imposition of such punishments.'

Further amend said Bill in section 4 by striking out all of that part designated "§ 709." and inserting in place thereof the following:

'§ 709. Disciplinary action, solitary confinement

Punishment for violation of the rules of the State Prison may be imposed in accordance with the procedures set forth in the rules and regulations governing the State Prison. Punishment may consist of warnings, loss of privileges, loss of good conduct time, confinement to a cell, confinement to a cell in segregation or solitary confinement, or a combination thereof, excepting corporal punishment.

Every inmate subject to punishment by the disciplinary committee may appeal his punishment to the warden. All punishments shall be approved by the warden.

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The imposition of solitary confinement shall be subject to the following conditions:

1. Diet. The inmate shall be supplied with a sufficient quantity of wholesome and nutritious food, provided that such food need not be the same as the food supplied to the inmates in the general population.
2. Sanitary and other conditions. Adequate sanitary and other conditions required for the health of the inmate shall be maintained.
3. Solitary confinement exceeding 24 hours, health of inmate. When solitary confinement exceeds 24 hours the warden shall cause the prison physician or a member of the prison medical staff to visit the inmate forthwith, and at least once in each succeeding 24-hour period in solitary confinement thereafter, to examine into the state of health of the inmate; the warden shall give full consideration to any recommendation of the physician or medical staff member, as to the inmate's dietary needs, and the conditions of his confinement, required to maintain the health of the inmate. The solitary confinement of any inmate shall be discontinued if the prison physician or the consulting psychiatrist indicates that such punishment might be harmful to the mental or physical health of the inmate.
4. Reports. In the event that any inmate shall be held in solitary confinement for a period in excess of 5 days the warden shall forward a report thereof to the Director of Corrections giving the reasons therefor. As to any inmate in solitary confinement

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with respect to whom the recommendations of the prison physician or consulting psychiatrist are not carried out by the warden a report thereof, with the reasons therefor, shall be forwarded by the warden to the Director of Corrections.'

Further amend said Bill by renumbering sections 1 to 7 to be sections 2 to 8.

Statement of Fact

The purpose of this amendment is to provide for disciplinary action in the Maine State Prison.

Proposed by Senator:

(Tanous)

NAME:

COUNTY: Penobscot

Reproduced and distributed pursuant to Senate Rule No. 11A.

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