

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST SPECIAL SESSION

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1905

H. P. 1462

House of Representatives, January 24, 1972

Committee on County Government suggested.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Jalbert of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-TWO

AN ACT Relating to Charges for Keeping Certain Prisoners.

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

Sec. 1. R. S., T. 12, § 3059, amended. The last sentence of section 3059 of Title 12 of the Revised Statutes is repealed as follows:

~~Such costs shall not exceed the average amount paid for board of federal prisoners~~

Sec. 2. R. S., T. 15, § 1705, repealed and replaced. Section 1705 of Title 15 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 1705. Room and board of prisoners

The county commissioners shall determine and publish the daily room and board rate for prisoners or persons committed to the county jail by, or detained, lodged, or held in custody at the county jail for municipalities, other counties, the State Police, Department of Inland Fisheries and Game, the Warden of the State Prison or other law enforcement authorities or agencies. The Department of Inland Fisheries and Game, the Warden of the State Prison and other counties shall pay to the county the daily room and board rate for each such prisoner or person committed, detained, lodged or held in custody. Municipalities, the State Police and other law enforcement authorities or agencies shall pay the daily room and board rate for each such person or prisoner detained, lodged or held in custody before trial.

The daily room and board rate shall not be less than the actual cost to the county of food and lodging at the county jail, including the following ex-

penditures attributable to the operation of the county jail: Fuel, utilities, supplies, insurance, salaries of the sheriff and deputies and other personnel, equipment, maintenance and depreciation. The same room and board rate shall apply to civil prisoners.

Sec. 3. R. S., T. 30, § 301, amended. Section 301 of Title 30 of the Revised Statutes is amended by adding after the 2nd sentence a new sentence to read as follows:

The county commissioners shall not contract with the sheriff for the support of prisoners.

Sec. 4. R. S., T. 34, § 708, amended. The 2nd and 4th sentences of section 708 of Title 34 of the Revised Statutes are repealed as follows:

~~Said jail keeper shall be allowed his reasonable charge and expenses incurred, to be paid from the State Treasury~~

~~The jailer thereof shall receive such compensation from the State Treasury as he and the warden agree upon~~

Sec. 5. Effective date. This Act shall become effective on July 1, 1973.

STATEMENT OF FACT

This Act will allow the county commissioners to establish a rate for the room and board of persons held at or committed to county jails. Presently, county jails are used by numerous law enforcement agencies, in many cases at no cost or at a charge which represents a loss to the county. This legislation will allow counties to at least break even in the operation of jails.