

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1541

H. P. 1201

House of Representatives, March 21, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mrs. White of Guilford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

**AN ACT Relating to Location of the Women's Correctional Center and
Operation of the Halfway House Program.**

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

Sec. 1. R. S., T. 34, § 528, additional. Title 34 of the Revised Statutes is amended by adding a new section 528 to read as follows:

§ 528. Halfway house; school tuition

The bureau is authorized to establish a Halfway House Program, so called, said program to provide an environment of community living and control pursuant to rules and regulations adopted by the department. Inmates and prisoners at any of the correctional institutions may be paroled to participate in the Halfway House Program in accordance with applicable provisions of chapter 121.

A participant in the Halfway House Program may attend a public school when enrolled by the superintendent as provided in Title 20, section 1391.

Sec. 2. R. S., T. 34, § 851, amended. The first paragraph of section 851 of Title 34 of the Revised Statutes is amended to read as follows:

The Women's Correctional Center ~~formerly called the Reformatory for Women, located at Skowhegan, Maine~~ shall be maintained for the confinement and rehabilitation of:

Sec. 3. R. S., T. 34, § 851-A, sub-§ 1, amended. Subsection 1 of section 851-A of Title 34 of the Revised Statutes, as enacted by section 16 of chapter 391 of the public laws of 1967, is amended to read as follows:

1. **Center.** "Center" as used in this chapter shall mean the Women's Correctional Center located at Skowhegan, Maine;

Sec. 4. R. S., T. 34, § 852-A, additional. Title 34 of the Revised Statutes is amended by adding a new section 852-A to read as follows:

§ 852-A. Designation of Women's Correction Center

The Commissioner of the Department of Mental Health and Corrections shall designate a state institution as and for the Women's Correctional Center.

Sec. 5. R. S., T. 34, § 859, amended. The first sentence of the last paragraph of section 859 of Title 34 of the Revised Statutes, as repealed and replaced by section 20 of chapter 391 of the public laws of 1967, is amended to read as follows:

The superintendent shall certify the fact of each instance of escape or attempted escape to the county attorney for ~~Somerset County~~ the county in which the center is located, who shall prosecute such inmate or prisoner therefor.

Sec. 6. R. S., T. 34, § 864, repealed. Section 864 of Title 34 of the Revised Statutes, as enacted by section 72 of chapter 513 of the public laws of 1965, and as amended, is repealed as follows:

§ 864. Halfway house school tuition

The department is authorized to establish a Halfway House Program, so called, to be operated on the property of the center, in or near Skowhegan, or in other municipalities within the State, said program to provide an environment of community living controlled pursuant to rules and regulations adopted by the department. Inmates and prisoners of the center may be paroled to participate in said Halfway House Program, in accordance with applicable provisions of chapter 127. Females committed to the center under Title 15, section 2677, subsection 5 may be authorized by the superintendent to participate in said program. When the superintendent of the Stevens School, with the concurrence of the superintendent of the center, determines that the interests of a girl committed to the Stevens School can best be served by transfer to the halfway house, and appropriate care and the most effective rehabilitative programming consistent with her needs can be afforded there, the superintendent of the Stevens School, with the approval of the Director of Corrections, may transfer any such girl to the halfway house and in such case she shall have the status of a girl on entrustment under Title 15, section 2716

A participant in the Halfway House Program may attend a public school when enrolled by the superintendent as provided in Title 20, section 1397

Sec. 7. Intent. The provisions of this Act shall not in any way terminate or affect the commitment, entrustment or status of any person at any of the institutions involved.

STATEMENT OF FACT

This legislation would place the operation of the Halfway House Program directly under the Bureau of Corrections rather than under the Women's Correctional Center as is presently the case. It would also allow the Bureau of Corrections to determine where the Women's Correctional Center should be located and for the Commissioner of the Department of Mental Health and Corrections to designate a state institution as and for the Women's Correctional Center.