

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 1613

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H. P. 1242

House of Representatives, March 26, 1973

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Farrington of China.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT Relating to the Transfer of Prisoners Committed to County Jails.**

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

R. S., T. 15, § 1710, additional. Title 15 of the Revised Statutes is amended by adding a new section 1710 to read as follows:

§ 1710. Transfer of prisoners committed to county jails

Any sheriff having in his custody a person sentenced to a county jail for a period of 60 days or more, having first secured the consent of the Director of the Bureau of Corrections of the Department of Mental Health and Corrections, may petition the court having imposed sentence for transfer of the person to a state correctional institution. The court shall set a time for hearing on the petition, giving at least 48 hours' notice to the said person and shall notify the sheriff to bring said person before said court for hearing. After hearing, if the court finds the person capable of benefiting from programs offered at state correctional institutions and the Director of the Bureau of Corrections has consented to such transfer, the court may order the person transferred to an institution to be designated by it.

Upon the entry of an order of transfer, the sheriff shall immediately transfer the person to the custody of the Director of the Bureau of Corrections. In no case shall the time of sentence to be served at the state correctional institution exceed the remaining time of the sentence originally imposed. A person transferred under this section shall be subject to the provisions of law relating to the institution to which he is transferred and to the same rules, regulations and statutes as inmates originally committed to the institution.

The county of origin of the prisoner shall pay to the State, for the cost of keeping such prisoner, an amount to be determined by the Director of the Bureau of Corrections, which amount shall not exceed the average cost per prisoner at the particular institution.

#### STATEMENT OF FACT

This legislation would allow county jail prisoners serving sentences of 60 days or more to be placed in state institutions if the court found that the inmate was capable of benefiting from programs offered at the state institutions. The purpose of the legislation is to provide rehabilitative services for prisoners at county jails. Most of the county jails do not have rehabilitative programs.