

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-495)

COMMITTEE AMENDMENT "A" to H.P. 358, L.D. 451, Bill, "AN ACT Empowering the State of Maine to Enter into the Interstate Corrections Compact.

Amend the Bill in that part designated "§1363." by inserting in the first line (same in L.D.) after the underlined word "Corrections" the following: ', subject to the limitations provided under section 1364,'

Further amend the Bill by adding at the end before the Statement of Fact the following:

'§1364. Limitations

The commissioner shall carry out the provisions of this compact in accordance with the following.

1. Juveniles excluded. For purposes of this compact, no juvenile shall be considered an inmate, as defined in section 1352.
2. Contracts. Any contracts made with one of the other party states for the confinement of inmates in Maine shall provide for cash payments for the costs of the confinement whenever the total days for inmates placed in Maine by that state exceeds by 200 the number of days for inmates placed by Maine in that state.
3. Inmates. The commissioner is authorized to accept an inmate for confinement in Maine only if the inmate is or has been a resident of this State, or members of the inmate's family are residents of this State or, in the opinion of the commissioner, the inmate has

demonstrated other ties to this State which would justify the confinement.

4. Transportation. The commissioner is authorized to permit any inmate who may be confined in another state under the provisions of the compact to pay the costs of transportation to the receiving state.

5. Facilities. The commissioner shall not accept any inmate under the provisions of the compact when the confinement of that inmate would cause immediately, or in the near future would be likely to cause, a need for an increase in correctional facilities in this State.

6. Report. The commissioner shall annually, prior to February 1st, present a report to the Joint Standing Committee on Health and Institutional Services describing any actions taken under the provisions of the compact during the previous year.

Statement of Fact

The purposes of this amendment are to:

1. Exclude juveniles from the provisions of the compact;
2. Require that the State receive cash payments for inmates placed in Maine whenever the sending state owes Maine more than 200 inmate-days;
3. Require that inmates have strong ties to the State, such as past or present residency or family residency as a condition of receiving them for confinement in Maine;
4. Authorize the commissioner to permit an inmate who could be placed out-of-state to pay the transportation costs to the other state;

5. Prohibit any acceptance of inmates if that acceptance would cause immediately or in the near future a need for an increase in facilities; and
6. Require an annual report to the committee on any actions taken under the compact.

Reported by the Committee on Health and Institutional Services.
Reproduced and distributed under the direction of the Clerk of
the House.
6/3/77

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