

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1435

H. P. 1167

House of Representatives, March 23, 1979

On Motion of Mrs. Prescott of Hampden, referred to the Committee on Health and Institutional Services in concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Cloutier of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Clarify the Interstate Corrections Compact.

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

34 MRSA § 1364, sub-§§ 2 and 3, as enacted by PL 1977, c. 344, are amended to read:

2. Contracts. Any contracts made with one of the other party states for the confinement of inmates in Maine ~~shall~~ **may** 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. **Otherwise, all contracts shall provide for an accrual of days earned by the respective states rather than cash payments.**

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, if, in the opinion of the commissioner, the inmate has demonstrated other ties to this State which would justify the confinement, or the inmate's confinement in this State is in the best interests of the inmate or the State of Maine.~~

STATEMENT OF FACT

The limitations on the Interstate Corrections Compact of accepting only inmates with family ties in Maine and mandating cash payment has severely limited Maine's ability to find states willing to enter compact agreements with Maine.

The purpose of this bill is to remove these limitations so that Maine may enter into compact agreements with more states and increase the flexibility to move inmates in and out of Maine as necessary.