

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1441

H. P. 1166

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 Relating to the Transfer of Prisoners to Federal Penal Institutions.

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

Sec. 1. 34 MRSA § 707, first paragraph, is amended to read:

Any person committed to the State Prison whose presence may be seriously detrimental to the well-being of the State Prison or who willfully and persistently refuses to obey the rules and regulations or who is considered an incorrigible inmate may, upon written certification from the warden to the commissioner **or his delegate, the Director of the Bureau of Corrections,** be transferred to a federal penal or correctional institution, provided the commissioner **or his delegate, the Director of the Bureau of Corrections,** approves and the Attorney General of the United States accepts such application and transfer.

Sec. 2. 34 MRSA § 707, 2nd paragraph, first sentence is amended to read:

The commissioner **or his delegate, the Director of the Bureau of Corrections,** is authorized to contract with the Attorney General of the United States or such officer as the Congress may designate under Title 18, section 5003 of the United States Code, and Acts supplementary and amendatory thereof, in each individual case for the care, custody, subsistence, education, treatment and training of any prisoner transferred under this section.

STATEMENT OF FACT

The purpose of this bill is to allow the Director of the Bureau of Corrections to transfer prisoners to federal penal institutions should the commissioner be unavailable.