

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 350

House of Representatives, Feb. 20, 1917.

Printed under joint rules.

W. R. ROIX, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT to create a Board of Prison Commissioners.

Whereas the management of the state prison vitally affects the peace, health and safety of the public and the provisions of the following act are deemed by the Legislature to be essential to the proper administration of said prison and the judicious treatment, employment and liberation of the prisoners therein confined, and whereas the facts above recited constitute an emergency, in the opinion of this Legislature, rendering the passage of said act immediately necessary for the preservation of the public peace, health and safety, now, therefore,

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

Section 1. The Governor, with the advice and consent
2 of the Council, shall appoint a board of prison commission-
3 ers consisting of three members, one to serve six years, one
4 to serve four years and one to serve two years. Each
5 member of the board shall receive five dollars for each day
6 of actual service and necessary expenses. As vacancies
7 occur by expiration of terms they shall be filled by appoint-
8 ment as above described and such appointment shall be for
9 six years. Whenever a vacancy occurs by reason of death,
10 incapacity or resignation, appointment shall be made as
11 above described for the unexpired portion of such term.
12 One of the members of said board shall be designated in
13 his commission as chairman. The commission may appoint
14 a secretary, who shall receive an annual salary of three hun-
15 dred dollars. The word "commission" as used in this act
16 shall mean the board of prison commissioners.

Sect. 2. The commission shall have the general direction
2 and supervision of the state prison. It shall make and
3 establish such rules and regulations, not inconsistent with
4 law, as it may deem expedient for the direction of the offi-
5 cers of the prison in the performance of their duties; for
6 the government, discipline, instruction and employment of
7 the inmates; for the supply of food, clothing and bedding
8 therein and for the custody and preservation of the prop-
9 erty connected therewith.

Sect. 3. The warden, chaplain and physician shall be ap-
2 pointed by the commission and shall hold office during its

3 pleasure. All other officers and employees of the prison
4 shall be appointed and commissioned by the warden with
5 the approval of the commission. The compensation of all
6 officers and employees of the prison shall be established by
7 the commission, subject to the approval of the Governor
8 and Council.

Sect. 4. The commission shall be an advisory board of
2 pardons. It shall consider carefully and thoroughly the
3 merits of all applications for pardon and commutation of
4 sentence referred to it by the Governor and it shall make
5 to him in writing, without publicity, a full report of the
6 crime for which the applicant was sentenced, his physical
7 and mental condition, his previous history and record, his
8 domestic relations, his conduct while in prison and any
9 other pertinent facts or circumstances, together with the
10 conclusions and recommendations of said commission. No
11 such report shall be made without the concurrence of a
12 majority of its members.

Sect. 5. Said commission may authorize the employment
2 of able-bodied prisoners, sentenced for any term less than
3 life, in the construction or improvement of highways or on
4 other public works within the state under such arrange-
5 ments as may be made with the state highway commission
6 or other department of the state having such public works
7 in charge, and said commission shall prescribe such rules
8 and conditions as it deems expedient to insure the proper
9 care and treatment of the prisoners while so employed and

10 their safe-keeping and return. Prisoners while so em-
11 ployed shall not be required to wear clothing which will
12 materially distinguish them from other workmen.

Sect. 6. The commission may require a physical and psy-
2 chopathic examination of persons committed to the prison
3 and shall keep a record thereof. At the request of the
4 commission the superintendent and trustees of the state
5 hospitals at Augusta and Bangor shall designate competent
6 physicians employed at said hospitals to conduct such ex-
7 aminations and the actual expense of physicians in making
8 such examinations shall be paid from any funds in the state
9 treasury available for the maintenance of the prison. The
10 commission is authorized to transfer any prisoner to either
11 of said hospitals for further study or observation of his
12 mental condition if it is deemed advisable.

Sect. 7. The warden, with the approval of the commis-
2 sion, may offer a reward not exceeding one hundred dol-
3 lars for the apprehension and return of any prisoner re-
4 leased on parole who shall have violated the conditions of
5 his release, and upon satisfactory proof that the terms of
6 said offer have been complied with the Governor, with the
7 advice and consent of the Council, shall draw his warrant
8 upon the treasurer for the payment thereof.

Section 8. The advisory board in the matter of paroles
2 and the board of prison and jail inspectors are hereby abol-
3 ished and all of the powers and authority conferred by law
4 upon said boards are hereby transferred to the board of

5 prison commissioners and all existing provisions of law
6 applicable to either of said boards shall hereafter apply to
7 said board of prison commissioners. The commission shall
8 have exclusive jurisdiction in all cases in granting paroles.

Sect. 9. Sections four, eleven and fifty-two of chapter
2 one hundred and forty-two of the revised statutes of nine-
3 teen hundred and sixteen, and all other acts or parts of acts
4 inconsistent herewith are hereby repealed.

Sect. 10. This act shall take effect when approved.