

MAINE STATE LEGISLATURE

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N I N E T Y - F I F T H L E G I S L A T U R E

Legislative Document

No. 247

H. P. 403

House of Representatives, January 30, 1951.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Hanson of Lebanon.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT Relating to Incurrigible Inmates in Reformatory for Men.

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

R. S., c. 23, § 73, amended. Section 73 of chapter 23 of the revised statutes is hereby amended to read as follows:

Sec. 73. Incurrigible inmates; proceedings for transfer to state prison; board of transfer. Any person committed to the reformatory for men whose presence therein may be seriously detrimental to the well-being of the institution or who wilfully and persistently refuses to obey the rules and regulations of said institution, may be deemed and declared incurrigible ~~Upon~~ by the superintendent of said reformatory who may certify that fact upon the original mittimus with recommendation that said person be transferred to the state prison and present said recommendation to a board of transfer set up within the department of institutional service. This board shall consist of the commissioner of institutional service, the warden of the state prison and the superintendent of the Augusta state hospital. Such recommendation to become effective must have the unanimous approval of the board to transfer and in such event shall take place forthwith. Any person so transferred shall serve the remainder of the term he might otherwise have been held at the reformatory or upon complaint being made to any judge of any municipal court in the county, he may, upon hearing, bind

over any person so accused to the term of the superior court next to be holden within such county, and if indictment is returned therefor, then upon conviction said incorrigible may be sentenced to the state prison for not less than 1 year nor more than 5 years. Upon conviction of such person committed to the reformatory for men as such incorrigible and sentence as above provided said person shall be discharged from said reformatory for men and be relieved from serving the balance of his sentence in said reformatory. **The provisions of this section, as they relate to the board of transfer and its powers, shall apply only to those persons committed to the reformatory for men for a felony.'**