

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1196

S. P. 437

In Senate, March 3, 1955.

Received by unanimous consent. Referred to Committee on Judiciary, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Reid of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to Transfer of Prisoners at Maine State Prison to
Federal Penal Institution.

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

R. S., c. 27, § 32-A, additional. Chapter 27 of the revised statutes is hereby amended by adding thereto a new section to be numbered 32-A, to read as follows:

‘Sec. 32-A. Transfer of prisoners to Federal penal institution. 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 of Institutional Service, be transferred to a Federal Penal or correctional institution, provided the Commissioner of Institutional Service approves and the Attorney General of the United States accepts such application and transfer.

The Commissioner of Institutional Service is hereby authorized to contract with the Attorney General of the United States or such officer as the Congress may designate under the provisions of 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 the provisions of this section. The contract shall provide for the reimbursement of the United States in full for all costs or other expenses involved, said costs and expenses to be paid from the appropriation for the operation of the State Prison. The warden shall affix to said contract a copy of the

mittimus or mittimuses under which the prisoner is held and the same along with the contract of transfer shall be sufficient authority for the United States to hold said prisoner on behalf of the State of Maine.

Any prisoner transferred under this section shall be subject to the terms of his original sentence or sentences as if he were serving the same within the confines of the Maine State Prison. Nothing herein contained shall deprive such prisoner of his rights to parole or his rights to legal process in the courts of this State.