

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 342

H. P. 290

House of Representatives, January 23, 1975

On motion of Mr. Goodwin of South Berwick was referred to the Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. LaPointe of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Abolish the Board of Visitors to State Correctional Institutions and to Create the Maine Correctional Advisory Commission.

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

Sec. 1. 34 MRSA, § 41, first sentence, as amended by PL 1973, c. 400, is further amended to read:

A board of 5 visitors, as heretofore established, shall be appointed by the Governor, in connection with each state institution under the **Bureau of Mental Health and the Bureau of Mental Retardation** of the department and the Governor Baxter School for the Deaf within the Department of Educational and Cultural Services.

Sec. 2. 34 MRSA, § 525-A is enacted to read:

§ 525-A. Maine Correctional Advisory Commission

There is established the **Maine Correctional Advisory Commission**, composed of 12 members, consisting of one member from the House of Representatives appointed by the Speaker of the House and one member from the Senate appointed by the President of the Senate, and 10 representative citizens, appointed by the Governor, including at least one full-time nonadministrative employee from the correctional system and at least one former inmate of the correctional system. The Governor shall designate the chairman. Of the first gubernatorial appointments, 4 shall be for a term of 3 years, 3 shall be for a term of 2 years and 3 shall be for a term of one year. Thereafter, appointments shall be made for a term of 3 years. Each member of the commission shall receive his actual and necessary expenses incurred in

the performance of duties pertaining to his office. In addition, the commission shall be authorized to receive public and private grants to aid in defraying the costs of its operation.

The duties of the Maine Correctional Advisory Commission shall be to act in an advisory capacity to the commissioner and to the Director of the Bureau of Corrections in assessing present programs, planning future programs and in developing on-going policies to meet the correctional needs of the State of Maine. To this end, the commission shall regularly advise the executive, legislative and judicial branches of government concerning correctional policy and shall issue a report containing the results of its studies to the Legislature, the Governor and the commissioner on December 31st of each year. The commission shall meet as often as necessary, at the discretion of its chairman, and shall adopt its own rules of procedure necessary to carry out its duties.

Sec. 3. Appropriation. There is appropriated from the General Fund to the Department of Mental Health and Corrections the sum of \$4,000 to carry out the purposes of this Act. The breakdown shall be as follows:

| | 1975-76 | 1976-77 |
|---|----------|----------|
| MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF | | |
| Maine Correctional Advisory Commission | | |
| All Other | \$ 2,000 | \$ 2,000 |

STATEMENT OF FACT

The Boards of Visitors to correctional institutions are, as a practical matter, ineffective. They meet rarely, have no real authority and have little impact on correctional programs at the bureau level where long-range administrative policy is determined.

Worthwhile and continuing input from the Legislature and from academic, professional, ex-offender and community representatives is needed by the Bureau of Corrections. This bill would establish a consolidated and effective citizen advisory group for the Bureau of Corrections, which could also assume the former responsibilities of the historically ineffective Boards of Visitors.

This legislation effects recommendation #56 of the report of the Governor's Task Force on Corrections.