

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 729

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H. P. 589 House of Representatives, February 20, 1975  
Referred to Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Bustin of Augusta.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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AN ACT to Remove from the Personnel Law the Position of Director of the Bureau of Corrections.

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

34 MRSA § 526, as enacted by PL 1967, c. 20, is repealed and the following enacted in place thereof:

§ 526. Director; duties

The Commissioner of Mental Health and Corrections shall appoint and set the salary for a Director of Corrections who shall be a person with training and experience in advanced public administration, the management of correctional facilities and programs, management of community-based programs for convicted persons, fiscal management, administration of residential institutions or other such administrative experience which is comparable. It shall be the duty of the director to carry out the purposes of the bureau under direction of the commissioner. In the event of vacancy in both the office of the commissioner and the office of the Director of Mental Health, or during the absence or disability of both of said officials, the Director of Corrections shall perform such duties and have the same powers as provided by law for the commissioner.

STATEMENT OF FACT

The present statute covering the appointment of the position of Director of Corrections is too restrictive in terms of the qualifications and experience

required of serious applicants for that position. With the diversification of correctional efforts from those which simply house large percentages of our inmate populations in traditional congregate residential facilities, to those more complex programs aimed specifically at reducing repeated criminal behavior by all convicted persons, more latitude is needed to select generalist administrators with experience other than simple management of traditional correctional facilities.

With the expansion also, during very recent years, of the duties of the position to those of a policy-making nature, the removal of the position from the classified service is appropriate.