

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 548

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H. P. 441

House of Representatives, February 17, 1977

On motion of Mr. Curran of South Portland, referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Joyce of Portland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Reduce the Size of the Board of Directors of the Criminal Justice Planning and Assistance Agency and to Change the Appointment of the Executive Director.**

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

Sec. 1. 5 MRSA § 3350, as last amended by PL 1975, c. 425, §§ 1 and 2, is repealed and the following enacted in its place:

§ 3350. Criminal Justice Planning and Assistance Agency

There is established to carry out the purpose of this chapter a Maine Criminal Justice Planning and Assistance Agency in the Executive Department to carry out programs of planning for more effective administration of criminal justice and for assisting local and state agencies in improving criminal justice in the State. The agency is to have those powers necessary to be designated as the "State Planning Agency" within the meaning of Title 1 of the "Omnibus Crime Control and Safe Streets Act of 1968," as amended, and the "Juvenile Justice and Delinquency Prevention Act of 1974," as amended.

Sec. 2. 5 MRSA § 3351, as last amended by PL 1975, c. 425, § 3, is repealed and the following enacted in its place:

§ 3351. Directors

The agency shall have no less than 12 nor more than 20 members, appointed by the Governor, including, ex officio, the Attorney General, the Commissioner of Public Safety and the Commissioner of Mental Health and Corrections. The remaining appointed members shall include representatives of units of local government, including elected officials, appointed executives and law enforcement officers; sheriffs; representatives of groups dealing with

juvenile delinquency and representatives of the community generally. In addition to the foregoing, the agency shall have judicial members as provided in the Federal Act.

Agency membership shall reflect, to the degree possible, a reasonable geographical and urban-rural balance.

Appointed directors shall serve a term of 2 years. Directors shall receive their actual expenses incurred in the performance of their official duties.

Sec. 3. 5 MRSA § 3353, as enacted by PL 1969, c. 465, is repealed and the following enacted in its place:

§ 3353. Executive director, staff

The Governor shall appoint a full-time Executive Director, for a term continuous with that of the Governor, who shall employ such additional staff as is necessary for the proper administration of the agency. The professional staff shall be unclassified. Clerical staff shall be employed subject to the Personnel Law.

Sec. 4. 5 MRSA § 3354, as last amended by PL 1975, c. 425, § 5, is repealed and the following enacted in its place:

§ 3354. Grants to other agencies

The agency shall be authorized to make grants for planning and for improvement of criminal justice consistent with the intent of the applicable federal legislation, as amended, to any agency or organization in law enforcement, criminal justice administration and delinquency prevention activities.

#### STATEMENT OF FACT

This bill makes the following changes to the Maine Criminal Justice Planning and Assistance Agency:

1. Provides for the appointment of the Executive Director of the Agency by the Governor instead of the Board of Directors.
2. Deletes from the ex officio members the State Planning Director, the Chief Medical Examiner, the Chief of the Maine State Police and the Director of the Bureau of Corrections and leaves as ex officio members the Attorney General, the Commissioner of Public Safety and the Commissioner of Mental Health and Corrections.