

MAINE STATE LEGISLATURE

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(EMERGENCY)
(New Draft of H.P. 951, L.D. 1280)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document NO. 1781

H.P. 1302 House of Representatives, June 9, 1987
Reported by Representative MANNING from the Joint Select
Committee on Corrections and printed under Joint Rule 2.
EDWIN H. PERT, Clerk
Original bill sponsored by Representative ANTHONY of
South Portland. Cosponsored by Senator BUSTIN of Kennebec,
Representatives CONLEY of Portland and FOSS of Yarmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

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Resolve, to Establish the Juvenile
Corrections Planning Commission.

Emergency preamble. Whereas, Acts and resolves
of the Legislature do not become effective until 90
days after adjournment unless enacted as emergencies;
and

Whereas, the Department of Corrections is engaged
in a comprehensive planning process for the future of
correctional facilities and programs; and

Whereas, the needs of youth have yet to adequately
address this planning process; and

1 Whereas, a Juvenile Corrections Planning Commis-
2 sion is needed to create a master plan for juveniles;
3 and

4 Whereas, the Juvenile Corrections Planning Com-
5 mission must begin work immediately to complete its
6 assignment in time for the 114th Legislature; and

7 Whereas, in the judgment of the Legislature,
8 these facts create an emergency within the meaning of
9 the Constitution of Maine and require the following
10 legislation as immediately necessary for the preser-
11 vation of the public peace, health and safety; now,
12 therefore, be it

13 Commission established. Resolved: That the Ju-
14 venile Corrections Planning Commission is estab-
15 lished. The commission shall be comprised of 19 mem-
16 bers who shall be appointed in the following manner:
17 The Commissioner of Corrections or his designee; the
18 Commissioner of Educational and Cultural Services or
19 his designee; the Commissioner of Mental Health and
20 Mental Retardation or his designee; one sheriff who
21 is a member of the Maine Sheriffs' Association and
22 one police officer who is a member of the Maine
23 Chiefs of Police Association, both to be selected by
24 their respective groups; one district attorney to be
25 selected by the Commissioner of Public Safety; one
26 employee of the Division of Probation and Parole to
27 be designated by the Commissioner of Corrections; one
28 Training School Counselor to be selected by the Asso-
29 ciation of Federal, State, County and Municipal Em-
30 ployees; one Maine Youth Center Unit Director to be
31 selected by the Maine State Employees Association;
32 one member of the Advocates for the Developmentally
33 Disabled; one member of a nonprofit agency which con-
34 tracts to provide community-based services with the
35 Department of Corrections and one member from the Ju-
36 venile Justice Advisory Group, both to be appointed
37 by the Governor; 3 members of the House of Represent-
38 atives, appointed by the Speaker of the House and 2
39 Senators, appointed by the President of the Senate,
40 of which 4 Legislators shall be members of the Select
41 Committee on Corrections and one Legislator shall be
42 a member of the Joint Standing Committee on Appro-
43 priations and Financial Affairs; and one District
44 Court Judge and one Superior Court Judge, who shall

1 act as nonvoting advisory members, both to be ap-
2 pointed by the Chief Justice of the Supreme Judicial
3 Court. The members shall choose a chairman from
4 among themselves at their first meeting. Legislators
5 shall receive the legislative per diem and all other
6 members shall receive expenses only; and be it fur-
7 ther

8 **Consultants. Resolved:** That the Commissioner of
9 Corrections shall contract with private consultants
10 to develop a proposed plan for juvenile correction
11 services, including an analysis of current services
12 being provided by the State and local agencies; the
13 relationship between institutional and community pro-
14 grams; the relationships among services being pro-
15 vided by the Department of Corrections, Department of
16 Human Services, Department of Mental Health and Men-
17 tal Retardation and Department of Educational and
18 Cultural Services; projections of need for services
19 during the next decade; appropriate policies, facili-
20 ties and programs required to meet the need for ser-
21 vices in the future; and steps to achieve the planned
22 system of juvenile correctional services; and be it
23 further

24 **Report. Resolved:** That the commission shall re-
25 ceive the report from any consultants which the De-
26 partment of Corrections hires, analyze any recommen-
27 dations made and adopt a master plan for juvenile
28 corrections. The master plan and any necessary im-
29 plementing legislation shall be submitted as a report
30 to the First Regular Session of the 114th Legislature
31 for approval by March 1, 1989. Any necessary
32 staffing shall be provided by the Department of Cor-
33 rections; and be it further

34 **Appropriation. Resolved:** That the following
35 funds are appropriated from the General Fund to carry
36 out the purposes of this resolve.

37 1987-88 1988-89

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39 Juvenile Corrections Planning
40 Commission

1	Personal Services	\$ 1,650	\$ 1,650
2	All Other	4,500	8,300
3			
4	Total	<u>\$ 6,150</u>	<u>\$ 9,950</u>

5 CORRECTIONS, DEPARTMENT OF

6 Administration

7 All Other \$75,000

8 These funds will
 9 provide money with
 10 which to hire con-
 11 sultants and fund
 12 the study and funds
 13 not spent shall car-
 14 ry forward until
 15 June 30, 1989, to be
 16 used for the same
 17 purpose.

18			
19	TOTAL	<u>\$81,150</u>	<u>\$ 9,950</u>

20 **Emergency clause.** In view of the emergency cited
 21 in the preamble, this resolve shall take effect when
 22 approved.

23 FISCAL NOTE

24 This new draft increases the number of people to
 25 be appointed to the Juvenile Corrections Planning
 26 Commission and allows a full \$75,000 for consulting
 27 fees. This funding assumes 6 meetings of the commis-
 28 sion in each fiscal year. Personal Services funding
 29 will provide for legislative per diem and \$4,500 in
 30 each fiscal year is provided for meals and mileage
 31 expenses of commission members other than the 4 com-
 32 missioners.

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STATEMENT OF FACT

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This new draft not only increases the size of the Juvenile Corrections Planning Commission, it also alters the composition of membership to assure greater participation in the planning effort of professionals with direct service responsibilities. In addition, additional funds are appropriated to carry out the work of the commission.

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