

## (New Draft of S.P. 380, L.D. 1156) FIRST REGULAR SESSION

## ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document No. 1797

S.P. 607 In Senate, June 9, 1987

Reported by the Minority Report for the Committee on State and Local Government and printed under Joint Rule 2. Original Bill sponsored by Senator Collins of Aroostook. Cosponsored by: Senator Ludwig of Aroostook, Senator Theriault of Aroostook.

JOY J. O'BRIEN, Secretary of the Senate

## STATE OF MAINE

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

AN ACT to Allow Aroostook County to Contract for Services for the Operation of the County Jail.

5 Be it enacted by the People of the State of Maine as 6 follows:

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Sec. 1. Aroostook County; Authority to contract for provision of county jail facility services. With the concurrence of the sheriff, the county commissioners in Aroostook County, in accordance with the Maine Revised Statutes, Title 30, section 304, may enter into an agreement with a person to provide detention facility services for the county. That person is referred to in this subchapter as the "contractor."

Page 1-LR3085

1 Sec. 2. Permissible contract elements. The con-2 tract may provide for the following: 3 A. The responsibility for the custody and main-4 tenance of the facilities; 5 в. The responsibility for the custody of the 6 prisoners; 7 C. Notwithstanding the Maine Revised Statutes, 8 Title 30, section 64-A, employment and supervi-9 sion of subordinate assistants and employees nec-10 essary for the operation of the facility; 11 D. The responsibility for the procuring and providing of supplies and services for the prison-12 .13 ers; and E. Any other matter that the county commission-ers consider necessary or advisable to provide 14 15 16 for in the contract. 17 Sec. 3. Applicability. Any responsibility of 18 the county commissioners or sheriff in Aroostook County concerning detention facilities and services 19 20 under this chapter remains with the county commissioners or sheriff, except where the contract entered into under this section specifies that the contractor 21 22 23 responsibility. In counties in which assumes that 24 the county commissioners have entered into a contract under this section, the following sections do not ap-25 26 ply if in conflict with the provisions of the con-27 tract: 28 Α. The Maine Revised Statutes, Title 30, section 29 301, as it concerns the provision and maintenance 30 of the detention facilities; The Maine Revised Statutes, Title 30, section 31 в. 32 1701, as it concerns the duty of the sheriff, deputy, jailer, master or keeper regarding the 33 custody of the jail and prisoners; and 34 35 с. The Maine Revised Statutes, Title 30, section 36 1854, as it concerns the procurement and provi-37 sion of supplies and services for the prisoners.

Page 2-LR3085

Sec. 4. Accounting. Within 60 days after the close of each county fiscal year, the contractor shall provide a full report to the county commissioners describing:

A. The services rendered;

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B. The supplies and services procured and provided;

C. The repair and maintenance of the facilities accomplished;

10 D. Other expenses incurred or paid; and

11 E. Any other information as required by the con-12 tract.

13 5. Rules. The Commissioner of Corrections shall 14 adopt rules governing qualifications and training of 15 employees working in the detention facilities.

16 The contractor shall comply with all rules and standards established by the Commissioner of Corrections 18 pursuant to the Maine Revised Statutes, Title 34-A, 19 section 1208.

## STATEMENT OF FACT

This new draft limits the provisions of the bill to Aroostook County, which brings the content of the bill in line with its original title. It requires the approval of the sheriff, before the commissioners may contract for a private concern, to run the jail. It requires the contractor to comply with rules established by the Commissioner of Corrections.

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Page 3-LR3085