

MAINE STATE LEGISLATURE

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802
R. of S.

L.D. 43

(Filing No. S-618)

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STATE OF MAINE
SENATE
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT " B " to S.P. 60, L.D. 43, Bill, "An Act
Relating to the Maine Correctional Advisory Commission"

Amend the bill by striking out everything after the enacting
clause and before the emergency clause and inserting in its place
the following:

Sec. 1. 5 MRSA §12004-I, sub-§4, as enacted by PL 1987, c.
786, §5, is amended to read:

4. Corrections Maine	\$25/Day	34-A
Correc-	<u>Expenses</u>	MRSA
tional	<u>and</u>	<u>§1204</u>
Advisory	<u>\$25/day</u>	<u>§1204-A</u>
Commission	<u>for non-</u>	
	<u>legislative</u>	
	<u>members.</u>	
	<u>Expenses</u>	
	<u>and</u>	
	<u>legislative</u>	
	<u>per diem</u>	
	<u>for</u>	
	<u>legislative</u>	
	<u>members.</u>	

Sec. 2. 34-A MRSA §1204, as amended by PL 1989, c. 503, Pt.
B, §158, is repealed.

Sec. 3. 34-A MRSA §1204-A is enacted to read:

§1204-A. Maine Correctional Advisory Commission

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2 The Maine Correctional Advisory Commission, as established
3 by Title 5, section 12004-I, subsection 4, is within the
4 department.

6 1. Composition. The commission consists of 14 members to be
7 appointed as follows:

8 A. Two members of the House of Representatives appointed by
9 the Speaker of the House of Representatives;

10 B. Two Senators appointed by the President of the Senate;

11 C. One member representing juvenile corrections appointed
12 by the Governor;

13 D. One member representing law enforcement appointed by the
14 Governor; and

15 E. Eight other members appointed by the Governor, including
16 at least:

17 (1) One full-time nonadministrative employee from the
18 state correctional system;

19 (2) One former inmate of the correctional system;

20 (3) One person representing victims of crimes; and

21 (4) Two members of the public.

22 The commission shall ask the Chief Justice of the Supreme
23 Judicial Court to designate a judge from the District Court and a
24 justice from the Superior Court, both of whom serve on the Maine
25 Judicial Council, to act as advisors to the commission.

26 2. Chair. The Governor shall designate the chair of the
27 commission.

28 3. Terms of appointment. The terms of appointments are as
29 follows.

30 A. Of the initial gubernatorial appointments, 4 must be for
31 terms of 3 years, 3 must be for terms of 2 years and 3 must
32 be for terms of 1 year.

33 B. Subsequent gubernatorial appointments must be for terms
34 of 3 years. Members may serve beyond their designated terms
35 until their successors are appointed.

36 C. Terms of appointment for Legislators must be for the
37 legislative term of office of the person appointed.

COMMITTEE AMENDMENT "B " to S.P. 60, L.D. 43

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4. Expenses. Commission expenses are treated as follows.

A. Each member of the commission is entitled to compensation according to the provisions of Title 5, chapter 379.

B. The commission may receive public and private grants to aid in defraying the expenses of its operation.

C. The commission may employ a full-time correctional specialist, who shall serve at the pleasure of the commission, and such additional staff as necessary.

5. Meetings. The commission may meet as often as necessary. A meeting may be called by the chair or by any 4 members.

6. Duties. The commission shall:

A. Regularly advise the Governor, commissioner, the Legislature and the Judicial Department on issues concerning corrections policy;

B. Prepare a report, containing the results of its studies, findings and recommendations, which must be submitted to the Governor, commissioner and the joint committee of the Legislature having jurisdiction over corrections by December 31st of each year;

C. Advise the commissioner in assessing present programs, planning future programs and developing policies to meet the correctional needs of the State; and

D. Develop rules of procedure necessary to carry out its duties.'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

The Department of Corrections will absorb the costs associated with the Maine Correctional Advisory Commission meetings within its budgeted resources.

The Judicial Department has indicated that it can absorb the costs of providing judicial advisors to the commission.'

COMMITTEE AMENDMENT " B" to S.P. 60, L.D. 43

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STATEMENT OF FACT

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6 The amendment reduces the membership and duties of the Maine
8 Correctional Advisory Commission, gives the Governor the
 authority to appoint the chair and changes the meeting
 requirement.

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 The amendment retains the commission's authority to hire
12 staff but eliminates the appropriation to do so.

12

 The amendment adds a fiscal note to the bill.

Reported by Senator Bustin for the Joint Select Committee on
Corrections. Reproduced and Distributed Pursuant to Senate
Rule 12.

(3/26/90)

(Filing No. S-618)