

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 998,
L.D. 1447, Bill, "An Act Transferring County Jail Operations to
the State"

Amend the amendment in section 1 by striking out all of
subsection 6 (page 2, lines 31 to 44 and page 3, lines 1 to 6 in
amendment) and inserting in its place the following:

'6. The commission shall study the feasibility of
transferring county jails to the State. As part of the
feasibility study, the commission shall identify the respective
duties and responsibilities of the State and counties under the
correctional system as they exist on the effective date of this
Act and as they could exist if a complete transfer of county
jails to the State were to occur. The commission shall examine
and evaluate the feasibility of other alternative divisions of
duties and responsibilities between the State and counties. The
commission shall determine the current and potential costs to the
State, benefits to the counties and overall effect on the people
of the State of all the options set out in this paragraph.

7. If the commission determines that a transfer of county
jails to the State is feasible, it shall develop a method of
implementing the transfer of the operations of county jails to
the State, including a timetable for the transitional process.
The commission shall include in its study the following issues:

A. The degree to which duties and responsibilities should
be transferred or shared between the State and counties;

B. The functional role of county jails pertaining to who
will be confined and for how long;

C. The degree to which the jails should have vocational,
educational and work-release programs;

D. The mechanics of transferring bond obligations to the
State and the allocation of financial obligation for those
bonds;

2 E. The transfer of seniority rights and eligibility of
3 appointment to state positions for county jail employees,
4 together with any related issues of collective bargaining
5 rights; and

6 F. All statutory changes required to implement the
7 transfer.'

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9 Further amend the amendment in section 1 in subsection 9 in
10 the 5th line (page 3, line 26 in amendment) by striking out the
11 following: "for transferring county jails to the State" and in
12 the 8th and 9th lines (page 3, lines 29 and 30 in amendment by
13 striking out the following: "to implement the transfer of county
14 jails to the State" and inserting in its place the following:
15 'as necessary to implement its recommendations'

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18 **STATEMENT OF FACT**

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20 This amendment clarifies that before the commission may
21 develop a plan to accomplish the transfer the commission must
22 first conduct a study of the feasibility of a transfer.

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