

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 141, L.D. 417, Bill, "An Act To Improve the Role of Boards of Visitors for State Correctional Facilities"

Amend the bill in section 1 in that part designated "§3002." in subsection 1 by inserting after paragraph C the following:

'D. At least one member of each board must be a person licensed by this State to provide mental health services.'

Further amend the bill in section 1 in that part designated "§3002." in subsection 1 by relettering the paragraphs to read consecutively.

Further amend the bill in section 1 in that part designated "§3002." in subsection 2 by striking out all of paragraph A and inserting in its place the following:

'A. Each board of visitors shall inspect the correctional facility to which it is assigned. Each board of visitors must be provided open access to all physical areas of the correctional facility, including access to areas housing clients. Each board of visitors must be provided the opportunity to speak to clients and to staff. Members of the board shall comply with all departmental policies and procedures and facility security practices regarding access to the correctional facility, shall adhere to all federal and state law regarding confidentiality and shall refer concerns or complaints regarding specific individuals to the chief administrative officer or advocate.'

R.d.S.

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2 Further amend the bill in section 1 in that part designated
"§3002." in subsection 2 in paragraph D in the 4th line (page 2,
4 line 19 in L.D.) by striking out the following: "officers" and
inserting in its place the following: 'officer'

6 Further amend the bill in section 1 in that part designated
8 "§3002." in subsection 2 in paragraph D by striking out all of
the last underlined sentence (page 2, lines 24 to 27 in L.D.) and
10 inserting in its place the following: 'Boards of visitors may
meet jointly.'

12 Further amend the bill in section 1 in that part designated
14 "§3002." by inserting after subsection 2 the following:

16 '3. Visit to correctional facilities and communications
with clients and staff. A member of a board of visitors may
18 visit the correctional facility to which that board is assigned
and may speak with clients and with staff. The member shall
20 comply with all departmental policies and procedures and facility
security practices regarding access to the correctional facility,
22 shall adhere to all federal and state law regarding
confidentiality and shall refer concerns or complaints regarding
24 specific individuals to the chief administrative officer or
advocate.'

26 Further amend the bill in section 1 in that part designated
28 "§3002." in subsection 3 in the first line (page 2, line 32 in
L.D.) by striking out the following: "3." and inserting in its
30 place the following: '4.'

32 Further amend the bill by inserting after section 2 the
following:

34 'Sec. 3. Application. Notwithstanding the Maine Revised
36 Statutes, Title 34-A, section 3002, subsection 1, paragraph C, a
current member of a board of visitors who is an employee of the
38 Department of Corrections may continue to serve on a board until
March 15, 2006 or until a new member is appointed, whichever is
40 sooner.'

42 **SUMMARY**

44 This amendment makes the following changes to the bill.

- 46 1. It specifies that at least one member of each board be a
48 licensed provider of mental health services.

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2 2. It creates an application provision to allow current
board members who work for the Department of Corrections to
4 continue to serve for a period of time after the enactment of the
bill to allow for continuity of board work until new appointments
6 are made.

8 3. It makes organizational changes to improve readability.

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