

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 478

S.P. 181

In Senate, February 10, 2009

### **An Act To Add 2 Mental Health Advocates to the State Board of Corrections**

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Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by President MITCHELL of Kennebec.  
Cosponsored by Representative WHEELER of Kittery and  
Senators: BRANNIGAN of Cumberland, DAVIS of Cumberland, GERZOFSKY of  
Cumberland, NUTTING of Androscoggin, Representative: LAJOIE of Lewiston.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 34-A MRSA §1802, sub-§1**, as enacted by PL 2007, c. 653, Pt. A, §30, is  
3 amended to read:

4 **1. Appointments.** The board consists of ~~9~~ 11 members who are appointed by the  
5 Governor. Each appointment is subject to review by the joint standing committee of the  
6 Legislature having jurisdiction over criminal justice and public safety matters and to  
7 confirmation by the Senate, except those members appointed pursuant to paragraph C.  
8 The following provisions govern member qualifications:

9 A. One member must be a sitting sheriff selected from a list of 3 nominations  
10 submitted to the Governor by a statewide organization representing sheriffs;

11 B. One member must be a sitting county commissioner selected from a list of 3  
12 nominations submitted to the Governor by a statewide organization representing  
13 county commissioners;

14 C. Two members must be representatives of the executive branch and at least one of  
15 the 2 must be from the department;

16 D. One member must be a municipal official selected from a list of 3 nominations  
17 submitted to the Governor by a statewide organization representing elected and  
18 appointed municipal officers and officials; ~~and~~

19 E. ~~The remaining 4~~ Four members must be broadly representative of the public and  
20 the geographical regions of the State. One of the 4 members appointed under this  
21 paragraph must be selected from a list of 3 nominations submitted to the Governor by  
22 a statewide organization representing county commissioners. A member appointed  
23 under this paragraph may not be an elected state or county official or municipal  
24 officer and may not derive income in substantial portion from work as an employee  
25 of a state, county or municipal government or in the field of corrections; ~~and~~

26 F. Two members must be mental health advocates, one selected from a list of 3  
27 nominations submitted to the Governor by the President of the Senate and one  
28 selected from a list of 3 nominations submitted to the Governor by the Speaker of the  
29 House of Representatives.

30 **Sec. 2. 34-A MRSA §1802, sub-§7**, as enacted by PL 2007, c. 653, Pt. A, §30, is  
31 amended to read:

32 **7. Quorum.** Two-thirds of the members of the board constitute a quorum for  
33 purposes of voting, 2/3 of the members constitute a quorum for purposes of rulemaking  
34 and ~~3~~ 4 members constitute a quorum for subcommittee hearings held by the board that  
35 do not involve decision making.

36 **SUMMARY**

37 This bill adds 2 mental health advocates to the State Board of Corrections. The bill  
38 also changes the quorum from 3 to 4 members for subcommittee hearings held by the  
39 board that do not involve decision making.