

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2014

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Legislative Document

No. 1824

S.P. 730

In Senate, March 18, 2014

### **An Act To Provide Additional Authority to the State Board of Corrections**

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator GERZOFKY of Cumberland.  
Cosponsored by Representative DION of Portland and  
Senators: BURNS of Washington, DUTREMBLE of York, HILL of York, PLUMMER of  
Cumberland, Representatives: CROCKETT of Bethel, LAJOIE of Lewiston, PLANTE of  
Berwick, PRIEST of Brunswick.

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

2 **Sec. 1. 34-A MRSA §1803, sub-§§12 and 13** are enacted to read:

3 **12. Establish a funding formula for county jails.** The board shall establish an  
4 essential programs and services funding formula for county jails to ensure that all jails  
5 have the programs and resources that are essential. The formula must take into account,  
6 at a minimum, the number of inmates housed in each jail.

7 **13. Funding oversight.** The board may:

8 A. Approve the budget of each county jail and approve or replace individual line  
9 items in each budget;

10 B. Review management decisions concerning staffing and the use of overtime with  
11 each county jail administrator and sheriff and establish staffing levels and use of  
12 overtime that best provide for a unified, efficient and highly coordinated correctional  
13 system;

14 C. Withhold state funds from a county jail that fails to comply with a decision of the  
15 board; and

16 D. Rescind county jail employee salary and wage increases and funding for county  
17 jail expenditures that exceed levels approved by the board.

18 **Sec. 2. Review the management of county jails in other states.** The State  
19 Board of Corrections shall review county jail management models in other states to  
20 determine whether there is a more efficient, effective and lower-cost model than the  
21 existing county jail management system in the State. By January 1, 2015, the board shall  
22 submit a report based on its review to the joint standing committee of the Legislature  
23 having jurisdiction over criminal justice matters. The joint standing committee of the  
24 Legislature having jurisdiction over criminal justice matters may submit a bill based on  
25 the report to the First Regular Session of the 127th Legislature.

26 **Sec. 3. Essential programs and services funding formula; report.** By  
27 January 1, 2015, the State Board of Corrections shall submit a report to the joint standing  
28 committee of the Legislature having jurisdiction over criminal justice matters related to  
29 the establishment of an essential programs and services funding formula pursuant to the  
30 Maine Revised Statutes, Title 34-A, section 1803, subsection 12. The report must include  
31 any suggested legislation necessary for the implementation of that subsection. The joint  
32 standing committee of the Legislature having jurisdiction over criminal justice matters  
33 may submit a bill based on the report to the First Regular Session of the 127th  
34 Legislature.

35 **SUMMARY**

36 This bill directs the State Board of Corrections to establish an essential programs and  
37 services funding formula for county jails and to review county jail management models in  
38 other states. The bill also authorizes the board to:

- 1           1. Approve the budget of each county jail in the State;
- 2           2. Review management decisions concerning county jail staffing and the use of  
3 overtime;
- 4           3. Withhold state funds from a county jail that fails to comply with a decision of the  
5 board; and
- 6           4. Rescind county jail employee salary and wage increases and funding for county  
7 jail expenditures that exceed levels approved by the board.