

# MAINE STATE LEGISLATURE

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Amendment Name: Amendment CA (S-463) (LD 2000 2020)

Date: 8/3/2020



Date: (Filing No. S- )

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
SENATE  
129TH LEGISLATURE  
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 702, L.D. 2000, Bill, “An Act To Standardize Language and Improve Correctional Services”

Amend the bill by striking out all of sections 1 and 2 and inserting the following:

**'Sec. 1. 15 MRSA §3314, sub-§1, ¶H,** as amended by PL 2019, c. 113, Pt. C, §48, is repealed.

**Sec. 2. 34-A MRSA §3001, sub-§3** is enacted to read:

**3. Director of women's services.** The commissioner may appoint a director of women's services to serve, as applicable, as the chief administrative officer of any correctional facility operated by the department for female prisoners and, notwithstanding any provision of law to the contrary, of any correctional facility housing unit used by the department for female prisoners. The director of women's services has all the powers and duties of other chief administrative officers, whether described in this Title or in any other provision of statute.

A. The director of women's services may appoint an assistant director, subject to the Civil Service Law. The assistant director has the powers, duties, obligations and liabilities of the director when the director is absent or unable to perform the director's duties.

B. The director of women's services may, with the written approval of the commissioner, contract with the Director of the Federal Bureau of Prisons acting pursuant to 18 United States Code, Section 4002, for the imprisonment, subsistence, care and proper employment of persons convicted of crimes against the United States and may receive and detain such persons pursuant to the contracts.'

Amend the bill by adding after section 9 the following:

**'Sec. 10. 34-A MRSA §4203, sub-§3,** as enacted by PL 2013, c. 508, §7, is amended to read:

**3. Powers.** In addition to other powers granted in this Title, the director ~~may appoint one assistant director, subject to the Civil Service Law;~~ the assistant director has the

**COMMITTEE AMENDMENT**

1 ~~following powers, duties, obligations and liabilities of the director when the director is~~  
2 ~~absent or unable to perform the director's duties.~~

3 A. The director may appoint an assistant director, subject to the Civil Service Law.  
4 The assistant director has the powers, duties, obligations and liabilities of the director  
5 when the director is absent or unable to perform the director's duties.

6 B. The director may, with the written approval of the commissioner, contract with  
7 the Director of the Federal Bureau of Prisons acting pursuant to 18 United States  
8 Code, Section 4002 for the imprisonment, subsistence, care and proper employment  
9 of persons convicted of crimes against the United States and may receive and detain  
10 such persons pursuant to the contracts.

11 **Sec. 11. 34-A MRSA §4205**, as enacted by PL 2015, c. 48, §2, is repealed and the  
12 following enacted in its place:

13 **§4205. Bolduc Correctional Facility employees**

14 **1. Power of sheriffs.** Employees of the Bolduc Correctional Facility:

15 A. Have the same power as sheriffs in their respective counties to search for and  
16 apprehend escapees from the facility, when authorized to do so by the director; and

17 B. May carry weapons and other security equipment when authorized by the director  
18 inside and outside the facility in connection with their assigned duties or training.

19 **2. Uniforms and special clothing.** Bolduc Correctional Facility employee uniforms  
20 and special clothing are governed as follows:

21 A. Employees of the facility may be provided, at the expense of the State, with  
22 distinctive uniforms for use when required for the performance of their official duties  
23 and that remain the property of the State; and

24 B. Employees of the facility may be provided with a clothing allowance when the  
25 private purchase of special clothing is required for the performance of their official  
26 duties.'

27 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
28 section number to read consecutively.

29 **SUMMARY**

30 This amendment is the majority report of the committee.

31 This amendment repeals the provision that provides the authority of the court to  
32 sentence a juvenile to a sentence of up to 30 days of confinement, known as a "shock  
33 sentence." The amendment adds to the authority of the director of women's services the  
34 authority to hire an assistant director and the authority to contract with the Federal Bureau  
35 of Prisons. The amendment adds the authority for the director of Bolduc Correctional  
36 Facility to appoint an assistant director and the authority to contract with the Federal  
37 Bureau of Prisons. The amendment grants to employees of the Bolduc Correctional  
38 Facility the same power as sheriffs in their counties to search for and apprehend escapees  
39 and the authorization to carry weapons and security equipment when authorized by the

COMMITTEE AMENDMENT “ ” to S.P. 702, L.D. 2000

1 director. The amendment authorizes the provision of uniforms and special clothing and a  
2 clothing allowance to employees of the Bolduc Correctional Facility.

3

**FISCAL NOTE REQUIRED**

4

**(See attached)**



# 129th MAINE LEGISLATURE

LD 2000

LR 3032(02)

**An Act To Standardize Language and Improve Correctional Services**

**Fiscal Note for Bill as Amended by Committee Amendment " "**

**Committee: Criminal Justice and Public Safety**

**Fiscal Note Required: Yes**

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## Fiscal Note

Clarifies Statutory Language

### Fiscal Detail and Notes

The bill renames certain positions and appointment authorities in correctional facilities. It also updates statutory language for consistency across all correctional facilities. No increase in costs to the Department of Corrections is expected as a result of these changes.