

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2013

hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the advisory committee.

6. Quorum. A quorum is a majority of the members of the advisory committee.

7. Meetings. The advisory committee shall meet at least 4 times a year at regular intervals and may meet at other times at the call of the chairs. Meetings of the advisory committee are public proceedings as provided by the Maine Revised Statutes, Title 1, chapter 13, subchapter 1.

8. Records. Except for information designated as confidential under federal or state law, information obtained by the advisory committee is a public record as provided by the Maine Revised Statutes, Title 1, chapter 13, subchapter 1.

9. Staffing. The Legislative Council shall provide staff support for the operation of the advisory committee, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session or for more than 4 meetings annually between regular or special sessions of the Legislature. In addition, the advisory committee may contract for administrative, professional and clerical services if funding permits.

10. Funding for advisory committee activities. The Legislative Council on behalf of the advisory committee may accept from the Department of Professional and Financial Regulation, Bureau of Insurance and the Department of Health and Human Services any grant funding made available to the State for exchange implementation and plan management activities that is received by those state agencies. The Legislative Council on behalf of the advisory committee may apply for and receive funds, grants or contracts from public and private sources to support its activities. Contributions to support the work of the advisory committee may not be accepted from any party having a pecuniary or other vested interest in the outcome of the matters being studied. Any person, other than a state agency, desiring to make a financial or in-kind contribution shall certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the advisory committee's activities. Such a certification must be made in the manner prescribed by the Legislative Council. All contributions are subject to approval by the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with

an accounting record that includes the amount of funds, the date the funds were received, from whom the funds were received and the purpose of and any limitation on the use of those funds. The Executive Director of the Legislative Council shall administer any funds received by the advisory committee.

11. Reports. The advisory committee shall submit to the Joint Standing Committee on Insurance and Financial Services a preliminary report on its activities no later than December 4, 2013. The advisory committee shall submit to the Joint Standing Committee on Insurance and Financial Services a final report on its activities no later than November 5, 2014, and shall include in its report a review and evaluation of the continued necessity of a state health exchange advisory committee, including the staffing and funding needs of such an advisory committee, recommendations as to whether such an advisory committee should be established by the 127th Legislature and whether any changes should be made to the Maine Revised Statutes governing such an advisory committee.

**Passed by the Senate
June 27, 2013 and the House of Representatives
June 27, 2013.**

**JOINT STUDY ORDER ESTABLISHING
THE COMMISSION TO STUDY THE
STATE BOARD OF CORRECTIONS AND
THE UNIFIED COUNTY CORRECTIONS
SYSTEM**

H.P. 1132

ORDERED, the Senate concurring, that, notwithstanding Joint Rule 353, the Commission To Study the State Board of Corrections and the Unified County Corrections System, referred to in this order as "the commission," is established as follows.

1. Membership. The commission consists of the following members:

A. Three county commissioners, one of whom is appointed by the President of the Senate and 2 of whom are appointed by the Speaker of the House of Representatives from a list of 5 county commissioners submitted by the Maine County Commissioners Association;

B. Three county administrators, 2 of whom are appointed by the President of the Senate and one of whom is appointed by the Speaker of the House of Representatives from a list of 5 county admin-

istrators submitted by the Maine Association of County Administrators and Managers;

C. Two jail administrators, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House of Representatives from a list of 4 jail administrators submitted by the Maine Jail Administrators Association;

D. Two sheriffs, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House of Representatives from a list of 4 sheriffs submitted by the Maine Sheriffs Association;

E. Two members of the Legislature who serve on the Joint Standing Committee on Appropriations and Financial Affairs, appointed in accordance with this paragraph, one of whom is a member of the political party having the largest number of seats in the Legislature, and the other of whom is a member of the political party having the 2nd largest number of seats in the Legislature:

(1) One Senator, appointed by the President of the Senate; and

(2) One member of the House of Representatives, appointed by the Speaker of the House of Representatives; and

F. A member of the public, appointed jointly by the President of the Senate and the Speaker of the House of Representatives.

The President of the Senate and the Speaker of the House of Representatives shall invite the Commissioner of Corrections, or the commissioner's designee, and the chair of the State Board of Corrections to participate as members.

2. Chair. The public member appointed pursuant to subsection 1, paragraph F serves as chair of the commission.

3. Appointments; convening. All appointments must be made no later than 30 days following the passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. When the appointment of all members has been completed, the chair shall call and convene the first meeting of the commission. If 30 days or more after passage of this order a majority of but not all appointments have been made, the chair may request authority

and the Legislative Council may grant authority for the commission to meet and conduct its business.

4. Duties. The commission shall:

A. Review the current structure of the county jail corrections system, including but not limited to its source of revenues, the predictability of costs and revenues and strengths and weaknesses of the current system, in order to determine methods for long-term sustainability of funding, best practices and necessary processes;

B. Review and propose revisions, if necessary, to the mission and authority of the State Board of Corrections; and

C. Clarify the structure and authority of the unified system of corrections and the State Board of Corrections and develop recommendations to strengthen centralization of the system and control and coordination of operations.

5. Staff assistance. The Legislative Council may seek the provision of staffing services from a nonlegislative entity, including the Maine County Commissioners Association. The Legislative Council may not incur any costs for staffing services provided pursuant to this subsection.

6. Meetings. The commission is authorized to meet up to 6 times.

7. Outside funding. The commission shall seek funding contributions to fully fund the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the passage of this order, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

8. Report. No later than December 4, 2013, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Criminal Justice and Public Safety.

**Passed by the Senate June 27, 2013 and
the House of Representatives June 27, 2013.**
