

MAINE STATE LEGISLATURE

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**JOINT STANDING COMMITTEE ON
CRIMINAL JUSTICE AND PUBLIC SAFETY**

those laws to improve the existing permitting process or to address other identified issues with the process. On or before February 15, 2023, the Bureau of State Police is required to submit to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters a report outlining the findings and recommendations of the stakeholder group, including any proposed legislation, and the committee may report out related legislation.

LD 1654 An Act to Stabilize State Funding for County Corrections

ENACTED LAW SUMMARY

Public Law 2021, chapter 732 does the following.

1. In Part A, it repeals and replaces the law on the County Jail Operations Fund, effective July 1, 2023, by requiring at least \$20,342,104 in General Fund funding each year, of which at least 25% must be spent on the community corrections and best practices services required in Part C; requiring periodic reporting to the Department of Corrections by the jails and payments to the jails and annual reporting by the department to the legislative committee having jurisdiction over criminal justice and public safety matters; and re-enacting provisions on the distribution formula applicable to the fund and surcharges applicable to fines, forfeitures and penalties. Effective May 5, 2022, Part A also establishes the County Corrections Professional Standards Council to evaluate and advise the Commissioner of Corrections, develop rules on reporting to the commissioner, develop budget and supplemental funding recommendations, consider the need for legislation regarding required programs, services and reporting and submit such legislation to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters.
2. In Part B, effective May 5, 2022, it updates the laws on the base county tax assessments for correctional services and requires legislative approval for a county to adjust its base assessment limit if the amount varies from the adjustments allowed in the law. For fiscal year 2022-23, it requires the Legislature to appropriate from the General Fund \$20,342,104 to the County Jail Operations Fund.
3. In Part C, effective May 5, 2022, it requires the jails to operate in accordance with best practices and mandatory standards, policies and procedures established in rules adopted by the commissioner. The rules are required to cover coordination of transportation and substance use disorder screening, assessment, medication, treatment, recovery and reentry services. The rules are also required to cover mental health treatment, community programs and services and training and technical assistance for facility staff and health care practitioners. It requires the jails to report data in accordance with rules adopted by the County Corrections Professional Standards Council. It provides for the continuing application of current rules and standards until new rules and standards are adopted.
4. In Part D, effective July 1, 2023, it amends references to the County Jail Operations Fund and updates references to reporting by the jails to the legislative committee having jurisdiction over criminal justice and public safety.

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Public Law 2021, chapter 732 was enacted as an emergency measure on May 5, 2022.

LD 1721 An Act Regarding Dignity for Women in Correctional Facilities

ENACTED LAW SUMMARY

Public Law 2021, chapter 620 does the following.

1. It amends an existing legislative reporting requirement by the Department of Health and Human Services, Office of Child and Family Services regarding the status of children in the department's custody to include in that report information on the number of children in the department's custody known to have one or more incarcerated parents and information on the number of those children for whom the case goal is reunification.
2. It adds to the board of visitors of each county jail a person with knowledge related to the incarceration of women and a woman who has been incarcerated in the State and who has had prior child welfare experience with the Department of Health and Human Services, Office of Child and Family Services.
3. It establishes a board of visitors for women's services to serve with regard to women who are incarcerated in Department of Corrections correctional and detention facilities and requires the Commissioner of Corrections to establish a separate grievance process for complaints regarding compliance with standards for county and municipal detention facilities, jails and other detention housing.
4. It prohibits a correctional or detention facility from billing an indigent client for future payment of services and medications.
5. It adds to the rights of a person who is incarcerated in the custody of the Department of Corrections opportunities and conditions for visitations with the child of the person and specifies the conditions under which such visits are not allowed.
6. It requires the Department of Corrections to report annually to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the number of juveniles in the custody of the department as juvenile detainees or juvenile clients or under department supervision on probation whose parents or primary caregivers are known to the department to be in the custody of the department or under the supervision of the department.