

MAINE STATE LEGISLATURE

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

LD 1614 PART 2 BUDGET BILL

FY 04 - 05

THIS FILE CONTAINS THE FOLLOWING:

**Departmental Impact Forms
Testimony
Committee Recommendations**

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Long Creek Youth Development Center

Account Number(s): 010-03F-0163-01

Page # in Bill : Y-65

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>	<u>-1.000</u>	<u>-1.000</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>-73,797</u>	<u>-79,996</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the transfer of headcount and personal services from Long Creek Youth Development Center to the Maine State Prison to transfer one Psychologist III position.

Description of Impact on Program(s) – BE SPECIFIC:

The number of prisoners housed at the Maine State Prison is greater than that facility was budgeted to accommodate. To meet the additional staffing requirements, three vacant positions are proposed to be transferred from other accounts within the department. This is one of the three.

Does this Initiative have an impact on the 2006-2007 Biennium?

(Yes) _____ (No) X

(please explain below)

Continuation of the transfer, no net increase to the general fund.

**2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs**

Department/Agency Name: Corrections

Program Name: Long Creek Youth Development Center

Account Number(s): 010-03F-0163-01

Page # in Bill: Y-65

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>	<u>-1.000</u>	<u>-1.000</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>-42,109</u>	<u>-45,645</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the transfer of headcount and personal services from Long Creek Youth Development Center to the Maine State Prison to transfer one Correctional Storekeeper I position.

Description of Impact on Program(s) – BE SPECIFIC:

The number of prisoners housed at the Maine State Prison is greater than that facility was budgeted to accommodate. To meet the additional staffing requirements, three vacant positions are proposed to be transferred from other accounts within the department. This is one of the three.

Does this Initiative have an impact on the 2006-2007 Biennium?

(Yes) _____ (No) X

(please explain below)

Continuation of the transfer, no net increase to the general fund.

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Mountain View Youth Development Center

Account Number(s): 010-03E-0857-01 Page # in Bill: Y-66

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>	<u>-1.000</u>	<u>-1.000</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>-34,094</u>	<u>-36,589</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the transfer of funds from the Mountain View Youth Development Center to the Maine State Prison for the transfer of one Laundry Worker II position.

Description of Impact on Program(s) – BE SPECIFIC:

The number of prisoners housed at the Maine State Prison is greater than that facility was budgeted to accommodate. To meet the additional staffing requirements, three vacant positions are proposed to be transferred from other accounts within the department. This is one of the three.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X
(please explain below)

Continuation of the transfer, no net increase to the general fund.

2004-2005 "Part 2" Budget Bill

Departmental Impact Form Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Mountain View Youth Development Center

Account Number(s): 010-03E-0857-01 Page # in Bill: Y-66

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>-0-</u>	<u>-0-</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the transfer of funds from all other to personal services to fund a management-initiated reclass of a Personnel Payroll Technician to a Personnel Assistant.

Description of Impact on Program(s) – BE SPECIFIC:

This reclass was approved by the Bureau of Human Resources.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X
(please explain below)

The net cost is zero.

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Juvenile Community Corrections

Account Number(s): 014-03A-0892-01 Page # in Bill: Y-67

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>	<u>105,710</u>	<u>109,398</u>
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the allocation of funds to continue a position established by financial order 06140F3, approved on 10/7/02. The position is a limited period Public Service Coordinator II position and related all other.

Description of Impact on Program(s) – BE SPECIFIC:

This position will provide quality assurance and program evaluation services directed to improving case management, risk reduction and program effectiveness in both juvenile and adult community and transition services.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X
(please explain below)

Limited period.

**2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs**

Department/Agency Name: Corrections

Program Name: Adult Community Corrections

Account Number(s): 013-03A-0124-01 Page # in Bill: Y-68

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>	<u>93,588</u>	<u>92,632</u>
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the allocation of funds to establish one limited period Probation Officer position and related all other costs for the York County Domestic Violence Grant project.

Description of Impact on Program(s) – BE SPECIFIC:

This position will provide community supervision services to offenders in York County as a component of a Domestic Violence Grant.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X
(please explain below)

Limited period.

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Maine State Prison

Account Number(s): 010-03B-0144-01 Page # in Bill: Y-69

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>	<u>1.000</u>	<u>1.000</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>73,797</u>	<u>79,996</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the transfer of headcount and personal services from Long Creek Youth Development Center to the Maine State Prison to transfer one Psychologist III position.

Description of Impact on Program(s) – BE SPECIFIC:

The number of prisoners housed at the Maine State Prison is greater than that facility was budgeted to accommodate. To meet the additional staffing requirements, three vacant positions are proposed to be transferred from other accounts within the department. This is one of the three.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X
(please explain below)

Continuation of the transfer, no net increase to the general fund.

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Maine State Prison

Account Number(s): 010-03B-0144-01 Page # in Bill: Y-69

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>	<u>1.000</u>	<u>1.000</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>42,109</u>	<u>45,645</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the transfer of headcount and personal services from Long Creek Youth Development Center to the Maine State Prison to transfer one Correctional Storekeeper I position.

Description of Impact on Program(s) – BE SPECIFIC:

The number of prisoners housed at the Maine State Prison is greater than that facility was budgeted to accommodate. To meet the additional staffing requirements, three vacant positions are proposed to be transferred from other accounts within the department. This is one of the three.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X
(please explain below)

Continuation of the transfer, no net increase to the general fund.

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Maine State Prison

Account Number(s): 010-03B-0144-01

Page # in Bill: Y-69

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>	<u>1.000</u>	<u>1.000</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>34,094</u>	<u>36,589</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the transfer of funds from the Mountain View Youth Development Center to the Maine State Prison for the transfer of one Laundry Worker II position.

Description of Impact on Program(s) – BE SPECIFIC:

The number of prisoners housed at the Maine State Prison is greater than that facility was budgeted to accommodate. To meet the additional staffing requirements, three vacant positions are proposed to be transferred from other accounts within the department. This is one of the three.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) (No) X
(please explain below)

Continuation of the transfer, no net increase to the general fund.

**The following items
do not impact the General Fund
and are not scheduled for the Public Hearing.**

**2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs**

Department/Agency Name: Corrections

Program Name: Administration

Account Number(s): 013-03A-0141-02 Page # in Bill: Y-70

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e. (-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>	<u>723,719</u>	<u>726,904</u>
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the allocation of funds to continue for federally-funded positions established by financial order 05925F3 dated 8/8/02 and all other funds for contracted services. The positions support the re-entry grant given to the Department by the U.S. Department of Justice, Office of Justice Programs. The positions being continued are one limited period Public Service Coordinator II, one limited period Clerk Typist III, and two limited period Social Services Program Specialist II positions.

Description of Impact on Program(s) – BE SPECIFIC:

The department was award a federal grant of \$2 million to address the release planning and community supervision and support services for serious and violent young offenders.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X
(please explain below)

Limited period, non-general fund.

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Administration

Account Number(s): 010-03A-0141-01

Page # in Bill: Y-70

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>-3,500</u>	<u>-3,600</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the deappropriation of funds to be used as a funding source to continue the State-Federal Coordinator position in the Governor's Office.

Description of Impact on Program(s) – BE SPECIFIC:

No impact on program services.

Does this Initiative have an impact on the 2006-2007 Biennium?

(Yes) _____ (No) X
(please explain below)

Transfer to Governor's Office, no known impact to the general fund.

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Maine State Prison

Account Number(s): 010-03B-0144-01 Page # in Bill: _____

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>263,060</u>	<u>281,705</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the appropriation of funds to establish 5 limited period Correctional Officer positions at the Maine State Prison in Warren.

Description of Impact on Program(s) – BE SPECIFIC:

The Maine State Prison in Warren has experienced a dramatic increase in prisoner population. The rate of increase far exceeds original projections. These five positions are needed for life-safety reasons.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X
(please explain below)

Limited period.

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Maine Correctional Center

Account Number(s): 010-03C-0162-01 Page # in Bill: _____

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>786,823</u>	<u>798,775</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the appropriation of funds to open a dormitory at the Maine Correctional Center in Windham due to increased prisoner population, and the establishment of 12.5 limited period positions.

Description of Impact on Program(s) – BE SPECIFIC:

Due to the dramatic increase in prisoner population, the department needs to open additional housing. This initiative will open up Dorm 2 at the Maine Correctional Center and provide security, treatment and programs for the inmates. The dormitory holds 30 inmates, thus adding to the Department's capacity.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X
(please explain below)

Limited period.

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Administration – carrying account

Account Number(s): 010-03A-0141-02 **Page # in Bill:** _____

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>296,217</u>	
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the appropriation of funds to contract services to support the data collection, research and evaluation of the Commission, the per diem costs of Legislative members, and to provide funding for a half-time limited-period Public Service Coordinator II position.

Description of Impact on Program(s) – BE SPECIFIC:

A commission to study why Maine has the third largest growing prisoner population is proposed. The study commission should be making recommendation as to how to address these factors contributing to the increase of Maine's prisoner population at both the State and County level. (Language is included in the Budget bill to establish the commission.)

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X
 (please explain below)

One-time appropriation.

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Maine State Prison

Account Number(s): 061-03B-0141-01

Page # in Bill: _____

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e. (-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other - 061, Prison Industries</u>	<u>3,377</u>	<u>1,458</u>

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides funding for a reclass at the Maine State Prison that has been approved by the Bureau of Human Resources. The Prison Industries account has one position, an Industrial Shop Assistant Supervisor to a Correctional Officer.

Description of Impact on Program(s) – BE SPECIFIC:

The above position has been approved for the reclass from the Bureau of Human Resources. Sufficient budgeted revenue exists to support this reclass.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X _____
(please explain below)

Sufficient revenue is currently budgeted to support this request (fund 061).

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Downeast Correctional Facility

Account Number(s): 010-03D-0542-01 **Page # in Bill:** _____

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>0</u>	<u>0</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other - 061, Prison Industries</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides funding for a reclass at the Downeast Correctional Facility that has been approved by the Bureau of Human Resources. The position being reclassified is a Correctional Program Manager from a range 24 to a 26.

Description of Impact on Program(s) – BE SPECIFIC:

The above position has been approved for the reclass from the Bureau of Human Resources. The position is being funded from all other.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X _____
(please explain below)

General fund is neutral, no increased cost.

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Administration – Department of Corrections

Account Number(s): 010-03A-014101

Page # in Bill: _____

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>0</u>	<u>0</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides funding for a reclass at the Administration that has been approved by the Bureau of Human Resources. The position being reclassified is a Personal/Payroll Technician to a Payroll Supervisor from a range 14 to a 15.

Description of Impact on Program(s) – BE SPECIFIC:

The above position has been approved for the reclass from the Bureau of Human Resources. The position is being funded from all other.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) _____ (No) X
(please explain below)

General fund is neutral, no increased cost.

PART I

Sec. I-1. 34-A §1215 is amended to read:

§1215. Accreditation

~~All adult correctional facilities and juvenile facilities operated by t~~ The department shall seek accreditation of its correctional and detention facilities accredited by a nationally recognized correctional accrediting body by January 1, 2005 and shall must maintain any accreditation obtained. thereafter. The department shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice matters regarding its progress towards accreditation by January 1, 2005.

Sec. I-2. Commission established. The Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners, referred to in this Part as "the commission," is established.

Sec. I-3. Commission membership. The commission consists of the following 16 members:

1. Two members of the Senate, appointed by the President of the Senate;
2. Two members of the House of Representatives, appointed by the Speaker of the House;
3. The Chief Justice of the Maine Supreme Judicial Court or designee; and two justices appointed by the Chief Justice or their designees;
4. The Attorney General or designee;
5. The Commissioner of the Department of Corrections or designee;
6. A representative of Adult Community Corrections appointed by the Commissioner of Corrections;
7. A representative of the Department of Behavioral and Development Services appointed by the Commissioner of Behavioral and Development Services;
8. The President of the Prosecutors Association or designee;
9. One member representing the County Commissioners;
10. One member representing the County Sheriffs Association;
11. The Executive Director of the Maine Trial Lawyers Association; and
12. A member of the public appointed by the Governor.

Sec. I-4. Appointments; chairs; meetings. All appointments must be made no later than 30 days following the effective date of this resolve. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made. The Governor shall appoint a chair from among the membership of the commission. The Executive Director of the Legislative Council shall call and convene the first meeting of the commission no later than 15 days after appointments of all members. The commission may hold a total of 6 meetings, one of which may be a public hearing.

Sec. I-5. Duties. The Commission shall conduct its research and prepare its recommendations with the express purpose of:

1. Achieving efficiencies in the state and county correctional systems,
2. Accomplishing policy, program and structural improvements that reduce recidivism,
3. Reducing risk to community safety, and
4. Respecting the needs of victims and communities in the process of holding offenders accountable for their actions.

To accomplish its purpose, the Commission shall examine multiple strategies for addressing the issue of continually and rapidly increasing prisoner population at both the county jail and state prison level including diversion from jail or prison, programming to improve reentry from jail or prisoner back to the community, community alternatives to incarceration, the need for more correctional bed space, and changes in sentencing laws, policies and practices. In conducting its examination, the Commission shall

- 1) Study factors leading to overcrowding in State and County correctional facilities; examine and analyze the prisoner population and projected growth at both the state and county level to include offenses, length of sentence and other issues such as mental illness and substance abuse, which lead to incarceration or re-incarceration. Identify trends in the offender population and determine what impact these changes will have on future growth.
- 2) Research "What Works." There is a growing body of evidence on effective correctional practice for managing offenders in the community and in correctional facilities. The committee/commission shall examine what the research supports for effective interventions for the managing the offender population based on risk management, risk reduction and proven practice.
- 3) Review existing program and treatment levels for the incarcerated offender population and recommend improvements based on projected need and effective programs supported by research.
- 4) Review State sentencing laws and how these laws have contributed to the increase in the offender population.
- 5) Determine the future need for correctional facilities;
- 6) Determine the benefits that may result from technology including automated information systems and the need for added investment;

- 7) Engage stakeholders: law enforcement officers, prosecutors, defense attorneys, members of the judiciary, state and county corrections officials, victims and advocacy communities, corrections employee unions, and other interested or affected parties
- 8) Recommend effective strategies, both short term and long term, including financing alternatives, for mitigating the growth in the offender population and achieving efficiencies in the state and county correctional systems that include, but are not limited to:
 - a) Diversion, both pre-trial and alternatives to incarceration
 - b) Graduated community sanctions for probation violators
 - c) Improvements in sentencing laws, policies and practices
 - d) Transition programs for prisoners returning to the community
 - e) Construction needs for new state and/or county correctional facilities
 - f) Improvements in community support services; and
 - g) Restructuring of the organization and/or relationship of state and county correctional systems; executive and judicial branches.

Sec. I-6. Staff assistance. The Commission will be staffed by the Department of Corrections.

Sec. I-7. Compensation. The members of the commission who are Legislators are entitled to the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for necessary expenses incurred for their attendance at authorized meetings of the commission. Other members of the commission who are not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses incurred for their attendance at authorized meetings.

Sec. I-8. Report. The commission shall submit a report that includes its findings and recommendations, including legislation, to the joint standing committee with jurisdiction over sentencing policies during the Second Regular Session of the 121st Legislature no later than January 2, 2004. The commission is authorized to introduce legislation related to its report to the Second Regular Session of the 121st Legislature at the time of submission of its report.

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Public Safety

Program Name: Administration

Account Number(s): 010-16A-0088-01

Page # in Bill: 64

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>(\$3,500)</u>	<u>(\$3,500)</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides for the deappropriation of funds to help offset the budget shortfall.

Description of Impact on Program(s) – BE SPECIFIC:

This is necessary reduce General Fund expenditures. It will be accomplished through a reduction of operating expenses.

Does this Initiative have an impact on the 2006-2007 Biennium?

(Yes) YES

(No)

This initiative will continue into the next Biennium

(please explain below)

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Public Safety

Program Name: Capitol Security

Account Number(s): 010-16A-0101-01

Page # in Bill: 84

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e. (-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>\$0</u>	<u>\$0</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides funds for employee initiated reclassifications and range changes.

Description of Impact on Program(s) – BE SPECIFIC:

This is necessary to pay for reclassifications and range changes as approved by the Bureau of Human Resources.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) YES (No)

This initiative will continue into the next Biennium

(please explain below)

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Public Safety

Program Name: Criminal Justice Academy

Account Number(s): 010-16A-0290-01

Page # in Bill: 84

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>\$0</u>	<u>\$0</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides funds for employee initiated reclassifications and range changes.

Description of Impact on Program(s) – BE SPECIFIC:

This is necessary to pay for reclassifications and range changes as approved by the Bureau of Human Resources.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) YES (No)

This initiative will continue into the next Biennium

(please explain below)

**The following items
do not impact the General Fund
and are not scheduled for the Public Hearing.**

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Public Safety

Program Name: Fire Marshal

Account Number(s): 014-16A-0327-01

Page # in Bill: 65

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e. (-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>	<u>\$0</u>	<u>\$0</u>
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides funding for management-initiated reclassifications and range changes.

Description of Impact on Program(s) – BE SPECIFIC:

This is necessary to reclassify a currently vacant Fire Investigator position to a Fire Investigation Supervisor position.

Does this Initiative have an impact on the 2006-2007 Biennium?

(Yes) YES

(No)

This initiative will continue into the next Biennium

(please explain below)

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Public Safety

Program Name: Emergency Services Communication Bureau

Account Number(s): 014-16A-0790-01

Page # in Bill: 84

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e. (-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>	<u>\$0</u>	<u>\$0</u>
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides funds for employee initiated reclassifications and range changes.

Description of Impact on Program(s) – BE SPECIFIC:

This is necessary to pay for reclassifications and range changes as approved by the Bureau of Human Resources.

Does this Initiative have an impact on the 2006-2007 Biennium?

(Yes) YES

(No) _____

This initiative will continue into the next Biennium

(please explain below)

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Public Safety

Program Name: Fire Marshal

Account Number(s): 014-16A-0327-01

Page # in Bill: 84

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>	<u>\$8,321</u>	<u>\$8,321</u>
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>	<u>\$8,321</u>	<u>\$8,321</u>
<u>Other (please specify)</u>		

Description of Initiative:

Provides funds for employee initiated reclassifications and range changes.

Description of Impact on Program(s) – BE SPECIFIC:

This is necessary to pay for reclassifications and range changes as approved by the Bureau of Human Resources.

Does this Initiative have an impact on the 2006-2007 Biennium?

(Yes) YES

(No)

This initiative will continue into the next Biennium

(please explain below)

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Public Safety

Program Name: Licensing and Enforcement

Account Number(s): 014-16A-0712-01 Page # in Bill: C-30

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>	<u>\$198,000</u>	<u>\$223,000</u>
<u>Other (please specify)</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>	<u>\$198,000</u>	<u>\$223,000</u>
<u>Other (please specify)</u>		

Description of Initiative:

Provides for additional allotment necessary to maintain current operations of the Licensing and Enforcement operation through the increase of fees.

Description of Impact on Program(s) – BE SPECIFIC:

This is necessary to maintain the operations of the Licensing and Enforcement unit. If the increase in fees is not approved, it will result in four positions being eliminated to maintain expenses within currently available revenues.

Does this Initiative have an impact on the 2006-2007 Biennium? (Yes) YES (No) _____

This initiative will continue into the next Biennium (please explain below)

TESTIMONY SIGN IN SHEET

COMMITTEE ON Appropriations and Financial Affairs

L.D. # OR CONFIRMATION: _____ LD 1614 Part 2 Budget Bill

DATE: _____ 5-May-03

PLEASE PRINT!!

Criminal Justice & Public Safety

	NAME	TOWN/AFFILIATION	PROPONENT	OPPONENT	NEITHER FOR NOR AGAINST
1.	Marty Magnusson	Commissioner of Corrections			
2.	James Beaulieu	AFSCME Council (American Fed. Of State, County & Municipal Employees)			
3.	Michael Cantara	Commissioner of Public Safety			
4.					
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16.					

ETHAN K. STRIMLING, DISTRICT 28, CHAIR
 PAMELA H. HATCH, DISTRICT 13
 DAVID L. CARPENTER, DISTRICT 33

MARION HYLAN BARR, LEGISLATIVE ANALYST
 JAMES ADOLF, LEGISLATIVE ANALYST
 LISA COTE, COMMITTEE CLERK



STATE OF MAINE

GEORGE H. BUNKER, KOSSUTH TWP., CHAIR.
 PATRICIA A. BLANCHETTE, BANGOR
 STANLEY J. GERZOFKY, BRUNSWICK
 PAUL J. LESSARD, TOPSHAM
 CAROL A. GROSE, WOOLWICH
 LOIS A. SNOWE-MELLO, POLAND
 CHRISTIAN D. GREELEY, LEVANT
 LOUIE B. MAIETTA, SOUTH PORTLAND
 RICHARD M. SYKES, HARRISON
 JOHN W. CHURCHILL, WASHBURN

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

TO: Sen. Mary R. Cathcart, Senate Chair
 Rep. Joseph C. Brannigan, House Chair
 Joint Standing Committee on Appropriations and Financial Affairs

FROM: Sen. Ethan K. Strimling, Senate Chair
 Rep. George H. Bunker, Jr., House Chair
 Joint Standing Committee on Criminal Justice and Public Safety

RE: Criminal Justice and Public Safety Committee Recommendations
 regarding the Governor's Draft 2004-2005 Part 2 Budget

DATE: May 9, 2003

Please accept the following memorandum as a summary of the Part 2 Budget recommendations from the Joint Standing Committee on Criminal Justice and Public Safety. Although the committee had little time to meet to discuss the Governor's Part 2 proposals, the members worked diligently to thoroughly review the budget documents, seek additional information from the departments and look for greater efficiencies in the provision of state services. At the center of all committee discussions is the concern for ensuring the public safety of the people of the State of Maine. Fortunately, the committee has had the prior benefit of being briefed on and deliberating over some of the issues that the Part 2 Budget addresses. Although we have worked hard, we believe that there are more deliberations to be had, more issues to fully explore and perhaps more savings to be found. We look forward to working with you further to accomplish these tasks. At this time, the committee is prepared to offer comments regarding the requests of the Department of Corrections.

Department of Corrections

For several compelling reasons, the committee fully supports the Governor's Part 2 recommendations for the Department of Corrections. There appear to be 2 very major problems that the Department of Corrections currently faces and struggles to address.

1. The Department of Corrections is the receiver of many persons in need of other State services but who are not receiving them. This dilemma continues only to grow, as the corrections population swells with more and more persons who have serious

mental health and substance abuse problems. Many of the people with mental health and substance abuse problems would not be incarcerated if there existed adequate community services and diversion programs to treat them. As the department receives so many of these clients in need of services, the legislature must not only recognize but do something about the fact that the corrections system is not equipped or prepared to act as mental health hospitals and substance abuse treatment centers to this population. As additional community treatment services are cut, the Department of Corrections can expect to see its population, especially those clients with serious mental health and substance abuse problems, continue to exceed its budgeted capacity.

2. The Department of Corrections is also the receiver of an increased population of persons serving shorter sentences of incarceration. As the county jail population also continues to exceed budgeted and facility bed capacities, there appears to be a conscious movement by the judicial system to sentence more persons to shorter sentences to be served at state prisons instead of county jails. This sentencing pattern only shifts the population burden and does not begin to solve or address the issues behind the tremendous growth. In addition to exceeding the budgeted capacity of the Department of Corrections, these short-term prisoners are serving time in facilities whose programs are designed for those who are incarcerated for long periods.

These 2 major factors, a precedent setting population growth that brings with it many persons suffering from acute mental health and substance abuse problems and the huge jump in the number of persons with short sentences committed to the Department of Corrections, coupled with an unanticipated increase in the crime rate, are stretching the corrections system to the breaking point. The system is now in crisis and requires immediate remedial interventions to ensure the safety of corrections employees and inmates.

Because of the current state of emergency in corrections, the committee identifies a number of reasons why the Legislature should support the DOC part 2 Budget requests and fund the limited period positions and the comprehensive study the department is seeking.

Additional limited period positions and beds

1. Currently, the department is housing a prisoner population that is approximately 170 over its facilities budgeted capacities. The committee believes that under these circumstances the department's request is minimal; the request seeks to add only 70 additional beds, and the front-line positions requested are limited period positions to enable the department to manage the increased prisoner population while the proposed study commission addresses alternatives to incarceration.
2. The State is in the position of incurring serious civil liability if the additional beds are not funded. The numbers of prisoners sleeping on the floor, double, triple and even quadruple celled make the State very vulnerable to litigation. The 30 bed unit proposed to be opened will temporarily address the need for prisoners to sleep on the floor due to lack of available beds.

3. The safety of department employees and prisoners is compromised. To adequately supervise the increased number of prisoners, the department will increase overtime worked by correctional employees. This increased need may result in staff refusals to work more overtime, and the current overworked employees may suffer poor morale as well as compromised effectiveness. The staff has been asked to do the impossible and cannot be expected to continue to work at the levels required.
4. Contributing to the safety concerns posed by the overcrowding is the increasing amount of prisoner idleness. Completing intake to classify prisoner is now taking up to four months, which creates significant idleness and serious security and safety concerns. The inability to program the increased numbers of prisoners will result in increased idleness, inappropriate behaviors and more assaults.

The limited period positions requested will allow the department to open additional beds, facilitate the quicker intake and placement of new prisoners, give prisoners more living space and help reduce correctional officer overtime. These benefits combined will help ensure the safety of corrections employees and prisoners in their care.

Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners

1. The Department of Corrections is currently experiencing the 3rd largest growing prisoner population in the country. This increased population is breaking both the corrections systems of the State and counties. In order to understand why this is happening and plan to address how to handle the problem that is only going to worsen, the department seeks to establish a commission of criminal justice professionals and policy makers to complete a rapid but comprehensive review of the problem and to recommend solutions. (See proposed language attached.)

The duties of the commission include:

- Reducing the overall prison population with a focus on lowering the population of non-violent offenders;
- Controlling the overall cost of the corrections system;
- Accomplishing policy, program and structural improvements that reduce recidivism and improve the transition of prisoners back into the community;
- Reducing risk to community safety; and
- Respecting the needs of victims and communities in the process of holding offenders accountable for their actions.

As the overcrowding continues, the mental health and substance abuse problems grow and the safety of corrections staff and prisoners is threatened more and more, the need for this commission is both obvious and crucial. It is time to move forward instead of taking a patchwork or band-aid approach to solving the problems in corrections. The time has

come for finding efficiencies between the county and state corrections systems, for identifying ways to divert low-risk offenders to effective treatment options in the community and to determine what future program and facility needs our offender population will require. The limited period positions and additional beds requested by the department are intended to keep the Department of Corrections “running,” while this commission works to create real solutions so that the corrections system does not continue to operate in a crisis mode.

2. The \$300,000 price tag that accompanies this commission request is justifiable, and like the request for additional limited period staff and beds, is actually less than needed. As a context in which to understand the costs, the Department of Corrections Phase I Master Plan was \$850,000, the Phase I Community Plan was \$400,000 and the Phase II Construction Plan and Jail Statistical Analyses was \$350,000. The work required by the commission will be more extensive and require a shorter timeframe than some of the previous plans. Committing this small amount of money now will save the State money and time later.

In addition to these comments, the committee made a few suggested changes to the department’s proposed statutory language. The committee proposes leaving the current corrections facility accreditation deadline of January 1, 2005 in the statute but recommends that the department report back to this committee in January 2004 regarding its progress in reaching that goal. The committee also proposes expanding the commission’s primary duties and discussed adding a member who has served time in a State prison. The latter suggestion was not incorporated into the language changes, as it was not supported by a majority. (The vote was 6 to 2 against this change.)

In summary, we have looked carefully, and we believe that the department is experiencing its share of pain from budget cuts, including maintaining 25 vacancies, incurring additional overtime and trying to handle the huge medical costs of its population that greatly exceed its budgeted capacity. The department is taking immediate proactive steps, including requiring all potentially eligible inmates to apply for supervised community confinement. The numbers in this program are growing, and the committee is committed to working with the department to continue to find other types of diversion and therapeutic treatment to save money. We strongly urge you to support the department’s requests for additional limited period positions and funding for the Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners. These pieces will ensure that we get where we need to be in ensuring adequate safety and the provision of corrections in Maine.

PROPOSED AMENDED STATUTORY LANGUAGE

Amend the bill by replacing Part K with the following:

PART K

Sec. K-1. 34-A MRSA §1215 is amended to read:

§1215. Accreditation

All adult correctional facilities and juvenile facilities operated by the department must be accredited by a nationally recognized correctional accrediting body by January 1, 2005 and must maintain accreditation obtained thereafter. The department shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters regarding its progress towards accreditation by January 1, 2004.

Sec. K-2. Commission established. The Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners, referred to in this Part as "the commission," is established.

Sec. K-3. Commission membership. The commission consists of the following 16 members:

1. Two members of the Senate who do not belong to the same political party, appointed by the President of the Senate;
2. Two members of the House of Representatives who do not belong to the same political party, appointed by the Speaker of the House;
3. The Chief Justice of the Maine Supreme Judicial Court or the Chief Justice's designee and two trial judges or justices appointed by the Chief Justice;
4. The Attorney General or the Attorney General's designee;
5. The Commissioner of the Department of Corrections or the commissioner's designee;
6. The Commissioner of Behavioral and Development Services or the commissioner's designee;
7. A representative of Adult Community Corrections appointed by the Commissioner of Corrections;
8. A representative of a statewide association of prosecutors nominated by the association and appointed by the Governor;
9. A representative of a statewide association of County Commissioners nominated by the association and appointed by the Governor;

10. A representative of a statewide association of County Sheriffs nominated by the association and appointed by the Governor;
11. A representative of a statewide association of criminal defense lawyers nominated by the association and appointed by the Governor; and
12. A member of the public appointed by the Governor.

Sec. K-4. Appointments; chairs; meetings. All appointments must be made no later than 30 days following the effective date of this resolve. The Governor shall appoint a chair from among the membership of the commission, who shall call and convene the first meeting of the commission no later than 15 days after appointments of all members. The commission may hold a total of 6 meetings, one of which may be a public hearing.

Sec. K-5. Duties. The commission shall conduct its research and prepare its recommendations with the express purpose of:

1. Reducing the overall prison population with a focus on lowering the population of non-violent offenders;
2. Controlling the overall cost of the corrections system;
3. Accomplishing policy, program and structural improvements that reduce recidivism and improve the transition of prisoners back into the community;
4. Reducing risk to community safety; and
5. Respecting the needs of victims and communities in the process of holding offenders accountable for their actions.

To accomplish its purpose, the commission shall examine multiple strategies for addressing the issue of continually and rapidly increasing prisoner population at both the county jail and state prison level including diversion from jail or prison, programming to improve reentry from jail or prisoner back to the community, community alternatives to incarceration, the need for more correctional bed space and changes in sentencing laws, policies and practices. In conducting its examination, the commission shall:

- 1) Study factors leading to overcrowding in State and County correctional facilities; examine and analyze the prisoner population and projected growth at both the state and county level to include offenses, length of sentence and other issues such as mental illness and substance abuse, which lead to incarceration or re-incarceration; identify trends in the offender population and determine what impact these changes will have on future growth;
- 2) Examine effective intervention options for managing the offender population based on risk management, risk reduction and proven practice;

- 3) Review existing program and treatment levels for the incarcerated offender population and recommend improvements based on projected need and effective programs supported by research;
- 4) Review State criminal sentencing laws and how these laws have contributed to the increase in the offender population;
- 5) Determine the future need for correctional facilities;
- 6) Determine the benefits that may result from technology, including automated information systems and the need for added investment;
- 7) Engage stakeholders: law enforcement officers, prosecutors, defense attorneys, members of the judiciary, state and county corrections officials, victims and advocacy communities, corrections employee unions, persons who have been incarcerated in state correctional facilities and other interested or affected parties; and
- 8) Recommend effective strategies, both in the short and long term, including financing and restructuring alternatives, for mitigating the growth in the offender population and achieving efficiencies in the State and county correctional systems.

Sec. K-6. Staff assistance. The commission will be staffed by the State Planning Office.

Sec. K-7. Compensation. The members of the commission who are Legislators are entitled to the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for necessary expenses incurred for their attendance at authorized meetings of the commission. Other members of the commission who are not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses incurred for their attendance at authorized meetings.

Sec. K-8. Report. The commission shall submit a report that includes its findings and recommendations, including legislation, to the joint standing committee having jurisdiction over criminal sentencing policies no later than January 2, 2004. The commission is authorized to introduce legislation related to its report to the Second Regular Session of the 121st Legislature at the time of submission of its report.

Department of Public Safety

The committee is not prepared to make complete recommendations to you regarding the department's Part 2 request. The committee has had several meetings and subcommittee meetings that have moved all interested parties forward, but formal recommendations have not been developed.

However, the committee would like to share with you a couple comments that enjoy unanimous support.

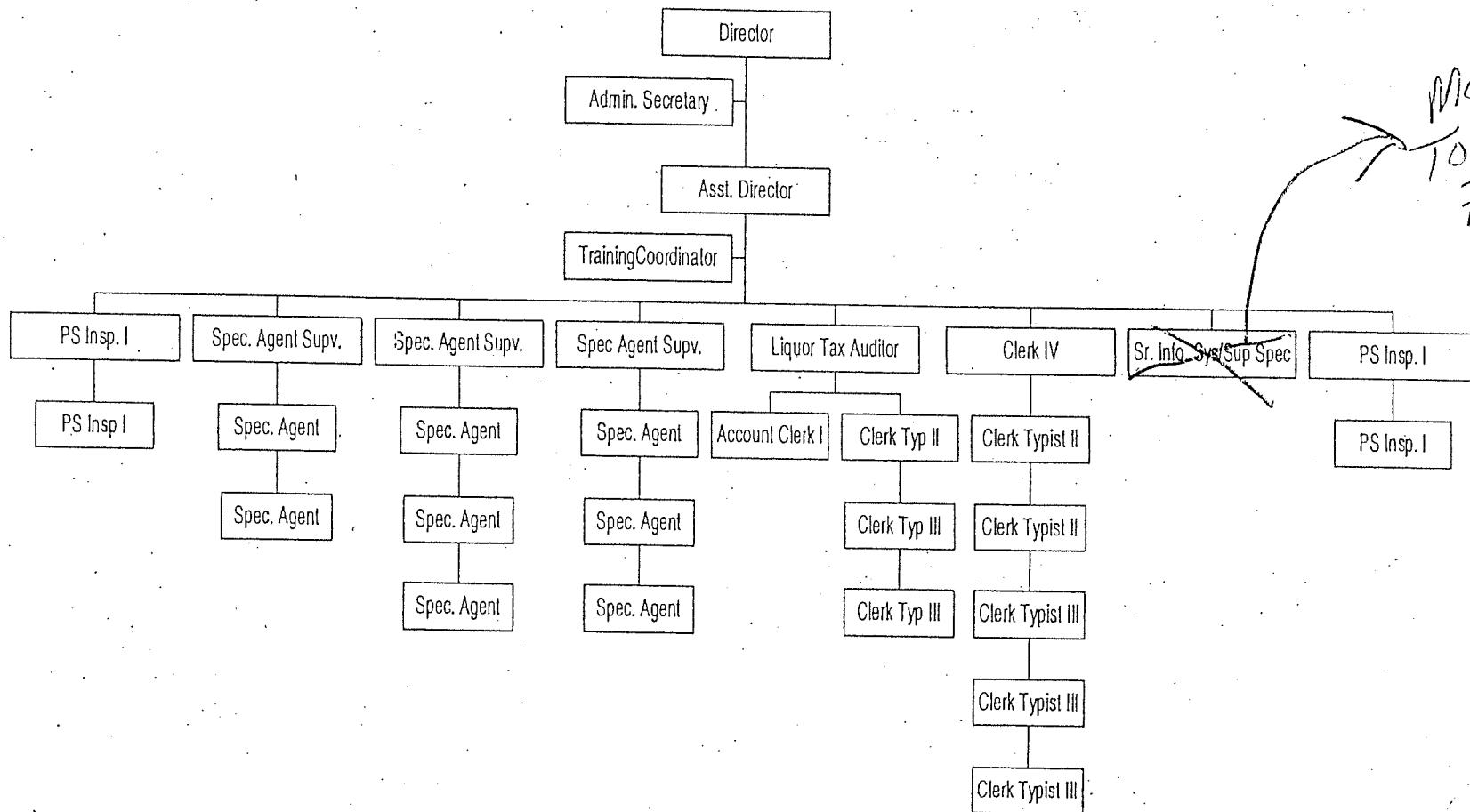
- The committee is opposed to an increase in licensing fees on concealed firearms permits, beano and bingo and other games of chance. The committee voted unanimously to kill LD 1405, An Act to Adjust Fees Charged for Licenses Issued by the Bureau of State Police Licensing Division, and was surprised and disappointed to see the same request in LD 1405 show up in the department's Part 2 request. The committee killed this bill because of concerns that this money would be raised on the backs of non-profits. The committee also has concerns about this Licensing and Gaming Division being staffed by 5 State Troopers who are performing more administrative functions than law enforcement functions. We share a strong interest and commitment to putting more of our existing State Trooper force back on the road performing direct public safety services to the citizens of Maine.
- In addition to the staffing of the Licensing and Gaming Division, this staffing concern has spilled into many of our discussions. The focus of discussions has been on ensuring that the State receives adequate public safety. The committee has an interest in taking a comprehensive look at what sworn state law enforcement officers are doing in their assigned tasks. The committee believes that part of achieving optimal public safety is to put more of our law enforcement officers on the front-lines, instead of in offices or assigned to tasks that may be performed equally as well by civilian employees. The committee will continue to work with the department to explore these concerns.

In closing, we would like to share that to date this process has not allowed the committee adequate time to make complete and informed decisions. We hope that there will be more time for discussion on many very important issues that we are all facing and for which we must make decisions. Thank you for your time.

Rep. Bunker

4pm - 221 CBOP
05/07

PUBLIC SAFETY BUREAU OF LIQUOR/LICENSING/GAMING



FINAL DRAFT + FUNDING PROPOSAL



20% INCREASE IN LIQUOR LICENSES

CURRENT LICENSES & FEES

Class I (831)	\$ 900
Class I-A (123)	\$1,100
Class II (1)	\$ 550
Class III (303)	\$ 220
Class IV (417)	\$ 220
Class V (74)	\$ 495
Class VI (2006)	\$ 200
Class VI-A	\$ 200
Class VII (1702)	\$ 200
Class VII-A	\$ 200
Class X (319)	\$2,200
Class XI (151)	\$1,500

NEW LICENSES & FEES

Class I (831)	\$1,080
Class I-A (123)	\$1,320
Class II (1)	\$ 660
Class III (303)	\$ 265
Class IV (417)	\$ 265
Class V (74)	\$ 595
Class VI (2006)	\$ 240
Class VI-A	\$ 240
Class VII (1702)	\$ 240
Class VII-A	\$ 240
Class X (319)	\$2,640
Class XI (151)	\$1,800

CURRENT MISC FEES

COA (Malt)	\$600
COA (Wine) (250 mixed)	\$600
Wholesaler (Malt) (9)	\$600
Wholesaler (Wine) (9)	\$600
Labels - renewal	\$ 1
Catering (1100)	\$ 10
Salesmen (150)	\$ 50

NEW MISC FEES

COA (Malt)	\$1,000
COA (Wine)	\$1,000
Wholesaler (Malt)	\$1,000
Wholesaler (Wine)	\$1,000
Labels - renewal	\$ 2
Catering	\$ 20
Salesmen	\$ 100

NEW REVENUE GENERATED BY CHANGES

Class I	\$149,580
Class I-A	\$ 27,060
Class II	\$ 110
Class III	\$ 13,635
Class IV	\$ 18,765
Class V	\$ 7,400
Class VI	\$ 80,240
Class VI-A	
Class VII	\$ 68,080
Class VII-A	
Class X	\$140,360
Class XI	\$ 45,300
Labels - renewal	\$ 30,000
Catering	\$ 11,000
Salesmen	\$ 7,500
COA	\$100,000
Wholesaler	\$ 7,200

TOTAL: \$ 706,230

2



HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002

(207) 287-1400

TTY: (207) 287-4469

George H. Bunker, Jr.

P. O. Box 35

Topsfield, ME 04490

Telephone: (207) 796-7910

Business: (207) 796-7917

Fax: (207) 796-7918

E-Mail: repgeorge.bunker@state.me.us

Bureau of Liquor, Licensing and Gaming Proposal

May 9, 2003

To: Sen. Mary Cathcart, Senate Chair
Rep. Joseph Brannigan, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

Sen. Kenneth Gagnon, Senate Chair
Rep. Joseph Clark, House Chair
Joint Standing Committee on Legal and Veterans Affairs

Sen. Ethan Strimling, Senate Chair
Joint Standing Committee on Criminal Justice and Public Safety

From: Rep. George Bunker

Re: General Fund Revenue Proposal for Liquor, Licensing and Gaming

This memo summarizes a General Fund revenue proposal for funding a consolidated bureau of liquor, licensing and gaming functions. In the spirit of finding efficiencies in state government while continuing to ensure that public safety is a priority, I propose consolidating the public safety functions of liquor, licensing and gaming. I have researched several potential revenue sources to accomplish this goal.

I have completed a review that indicates that motor vehicle inspection stations must be licensed every 2 years with the State of Maine through the Department of Public Safety. Upon inquiry I have learned that these licensed garages do not pay any type of fee for this licensure. Additionally, the licensed inspection mechanics are required to be tested and certified every five years. For this five-year certification, these mechanics pay a \$1 fee for the test.

District 136 Amherst, Aurora, Beddington, Burlington, Centerville, Columbia Falls, Danforth, Deblois, East Machias, Great Pond, Lakeville, Lee, Lowell, Marshfield, Northfield, Springfield, Talmadge, Topsfield, Vanceboro, Waite, Wesley, Whitneyville, Winn and Plantations of Carroll, Codyville, Drew, Grand Lake Stream and Webster, plus unorganized territories including Brookton, part of Edmunds, Forest City, Grand Falls, Kossuth, Lambert Lake, Marion, Prentiss and Summit Townships

Upon my request I have been provided with numbers indicating that there are a total of 2,449 licensed inspection stations and a total of 14,507 certified inspection mechanics in the State. As you may be aware, the amount of time and resources required to complete the above-mentioned public safety duties is completely paid for by the State of Maine. In the past these stations could only charge \$5 for their completion of a vehicle inspection as required by state law. The 120th Legislature approved increasing the fees that these stations may charge our citizens for these inspections to \$12.50.

In light of the recent increase in fees and the required actions by the State of Maine to issue licenses and certify mechanics, I feel it is only appropriate that the inspection stations and mechanics who require testing for certification pay a reasonable fee as recipients of these services. I propose the following fee schedule for these State-provided services:

Inspection stations	2,449	2 years	\$200.00	
\$489,800				
Mechanic Testing	14,507	5years	\$25.00	\$362,675

As you can see from these suggested fees, an inspection station would increase their overhead cost by \$100.00 per year, but these costs would be greatly offset by the increased revenues collected by the new \$12.50 inspection fee. The increased cost to the individual mechanics would be very minimal at \$5.00 per year to maintain their certification to perform the services required by any station. **The revenue generated would contribute a total of \$852,800 to the General Fund.**

This proposal has not been approved by any legislative committee, but taking seriously my responsibility to consolidate and find efficiencies and revenue sources to support State services, I present this to you for your consideration. I believe that the proposal is a fair, responsible and appropriate use of General Fund money to support our public safety services and help address the growing substance abuse problems that our State is experiencing. I believe that this plan will more efficiently provide the people of Maine with the public safety they want and deserve.

Thank you for your consideration. I look forward to answering your questions and further discussing the proposal with you.

Liquor, Licensing and Gaming

Liquor	FY 04	FY 05	FY 04 GF 49%	FY 05 OSR 51%	FY 04 GF 49%	FY 05 OSR 51%
Clerk Typist II	40,632	42,737	19,910	20,722	20,941	21,796
Clerk Typist II	43,200	45,463	21,168	22,032	22,277	23,186
Clerk Typist II	37,602	38,915	18,425	19,177	19,068	19,847
Clerk Typist III	45,067	46,128	22,083	22,984	22,603	23,525
Clerk Typist III	45,067	46,128	22,083	22,984	22,603	23,525
Clerk Typist III	45,739	46,054	22,412	23,327	22,566	23,488
Clerk Typist III	38,475	40,014	18,853	19,622	19,607	20,407
Clerk Typist III	45,067	45,382	22,083	22,984	22,237	23,145
Clerk IV	49,449	49,698	24,230	25,219	24,352	25,346
Admin. Secy	50,550	50,778	24,770	25,781	24,881	25,897
Liquor Tax Auditor	60,301	61,385	29,547	30,754	30,079	31,306
Account Clerk I	41,706	42,080	20,436	21,270	20,619	21,461
Sr. Info. Sys/Sup Spec	85,920	85,591	42,101	43,819	41,940	43,651
Liq. Enf. Trng. Coord.	68,082	69,447	33,855	35,237	34,029	35,418
Liq. Enf. Officer I	72,396	73,270	35,474	36,922	35,902	37,368
Liq. Enf. Officer I	70,021	71,308	34,310	35,711	34,941	36,367
Liq. Enf. Officer I	70,368	71,308	34,480	35,888	34,941	36,367
Liq. Enf. Officer I	70,651	71,836	34,619	36,032	35,200	36,636
Liq. Enf. Officer I	70,871	71,500	34,727	36,144	35,035	36,465
Liq. Enf. Officer I	70,871	71,500	34,727	36,144	35,035	36,465
Liq. Enf. Officer I	68,324	69,538	33,479	34,845	34,074	35,464
Liq. Enf. Officer I	68,324	69,538	33,479	34,845	34,074	35,464
Liq. Enf. Officer II	84,184	84,519	41,250	42,934	41,414	43,105
Liq. Enf. Officer II	84,338	84,978	41,326	43,012	41,639	43,339
Liq. Enf. Officer II	84,184	84,519	41,250	42,934	41,414	43,105
PS Insp. I	54,470	54,620	26,690	27,780	26,764	27,856
PS Insp. I	60,055	61,149	29,427	30,628	29,963	31,186
PS Insp. I	60,301	61,385	29,547	30,754	30,079	31,306
PS Insp. I	56,207	56,338	27,541	28,666	27,606	28,732
Asst. Director	92,521	91,995	45,335	47,186	45,078	46,917
Director	98,201	97,569	48,118	50,083	47,809	49,760
	1,934,154	1,956,670	947,735	986,419	958,768	997,902
Prof. Svcs.	47,900	47,900	23,471	24,429	23,471	24,429
Travel	4,000	4,000	1,960	2,040	1,960	2,040
Vehicles	40,000	40,000	19,600	20,400	19,600	20,400
Utility	1,000	1,000	490	510	490	510
Rents	174,000	174,000	85,260	88,740	85,260	88,740
Repairs	2,000	2,000	980	1,020	980	1,020
Insurance	21,500	21,500	10,535	10,965	10,535	10,965
Gen. Ops.	42,686	42,686	20,916	21,770	20,916	21,770
Training	7,100	7,100	3,479	3,621	3,479	3,621
Tech.	50,008	52,804	24,504	25,504	25,874	26,930
Clothing	12,000	12,000	5,880	6,120	5,880	6,120
Office & Oth. Supplies	22,800	22,800	11,172	11,628	11,172	11,628
	424,994	427,790	208,247	216,747	209,617	218,173
Total	2,359,148	2,384,460	1,155,983	1,203,165	1,168,385	1,216,075
Resources						
General Fund Part I	829,552	847,783	829,552		847,783	
Other Special Revenue	890,000	890,000		890,000		890,000
	1,719,552	1,737,783	829,552	890,000	847,783	890,000
Revenue Requirement	639,596	646,677	326,431	313,165	320,602	326,075

4

Salaries of Liquor Enforcement Personnel

	Liquor Officer step 3	Liquor Officer step 8	Liquor Sergeant step 8	Liquor Lieutenant step 8
Salary	\$32,080	\$39,269	\$42,984	\$52,531
Recruitment Stipend	\$1,296	\$1,296	\$1,296	\$1,296
Nonstandard Pay			\$7,016	\$8,509
Vehicle/Phone/Clothing Allowances	\$358	\$358	\$208	\$208
Retirement	\$11,524	\$15,756	\$19,388	\$21,256
Health	\$12,265	\$12,265	\$12,265	\$6,434
Dental	\$256	\$256	\$256	\$256
Life	\$132	\$163	\$200	\$238
Longevity		\$864	\$864	\$648
Medicare	\$489	\$593	\$747	\$907
Worker's Comp	\$1,549	\$1,549	\$1,549	\$1,549
Personal Services	<u>\$59,949</u>	<u>\$72,369</u>	<u>\$86,773</u>	<u>\$93,832</u>

Liquor/Games Personnel

Positions to be eliminated

	Position	Salary	Benefits
065006851	DET	\$46,030	\$58,559
065007211	DET	\$46,030	\$58,747
065007326	DET	\$46,030	\$44,863
065007377	LT	\$51,938	\$61,588
065003791	SGT	\$43,701	\$55,715
		\$233,729	\$279,472

Total De-appropriation \$513,201

Legislative History of Fee Changes Proposed in the Part II Budget

Type of Fee	Year Fee Adopted and Amount	Current Fee	Last Amendment to Fee	Fee Increase Proposed	Percent Change of Increase from Current Fee
Filing fee for an application for a permit to carry a firearm (15 §393, sub-§6)	1977 - \$25	\$25	None	\$50.00	100%
Nonprofit organization license for game of "beano" or "bingo" for each calendar week (17 §314, 2 nd par.)	1981 - \$5	\$12	1997 - increased from \$7.50 to \$12	\$14.25	18.75%
Nonprofit organization license for game of "beano" or "bingo" for each calendar month (17 §314, 2 nd par.)	1981 - \$20	\$36	1997 - increased from \$22.50 to \$36	\$42.50	18%
Nonprofit organization license for game of "beano" or "bingo" for each calendar year (17 §314, 2 nd par.)	1997 - \$400	\$400	None	\$472	18%
Original application fee for a license to operate a game of chance (17 §339, sub-§1)	1973 - \$5	\$7.50	1991 - increased from \$5 to \$7.50	\$15	100%
License to operate a game of chance for each week (17 §339, sub-§2)	1973 - \$5	\$15	1997 - increased \$9 to \$15	\$17.50	16.6%
License to operate a game of chance for each calendar month (17 §339, sub-§2)	1973 - \$20	\$60	1997- increased from \$36 to \$60	\$70	16.6%
License to operate a game of chance for each calendar year (17 §339, sub-§2)	1997 - \$700	\$700	None	\$820	17.14%
License to operate an electronic video machine for each week (17 §339, sub-§2-A)	1983 - \$10	\$15	1997 - increased from \$10 to \$15	\$30	100%
License to operate an electronic video machine for a calendar month (17 §339, sub-§2-A)	1983 - \$40	\$60	1997 - increased from \$40 to \$60	\$120	100%
License to operate a game of cards (17 §339, sub-§3)	1975 - \$5	\$7.50	1991 - increased from \$5 to \$7.50	\$15	100%
License issued to a distributor for each calendar year (17 §339, sub-§4)	1973- \$500	\$625	1991 - increased from \$500 to \$625	\$750	20%
License issued to a printer for each calendar year (17 §339, sub-§5)	1973- \$10	\$15	1991- increased from \$10 to \$15	\$500	3,233%

Type of Fee	Year Fee Adopted and Amount	Current Fee	Last Amendment to Fee	Fee Increase Proposed	Percent Change of Increase from Current Fee
Resident application fee for license to carry a concealed weapon (25 §2003, sub-§1, par E, sub-par. 4)	1985 - \$20 for an original application and \$10 for a renewal	\$35 for an original application and \$20 for a renewal	1993 – increased from \$20 to \$35 for an original application and from \$10 to \$20 for a renewal	\$60 for an original application and a renewal	71% increase for an original application and a 200% increase for a renewal
NonResident application fee for license to carry a concealed weapon (25 §2003, sub-§1, par E, sub-par. 4)	1985 - \$40	\$60 for an original or renewal application	1991 – increased from \$40 to \$60 for an original or renewal application	\$120 for an original application and a renewal	100%
Original biennial license application for a private investigator (32 §8117, sub-§1)	1981 - \$100	\$400	1991 – increased from \$200 to \$400	\$600	50%
Biennial license application renewal for a private investigator (32 §8117, sub-§1)	1981 - \$50	\$200	1991 – increased from \$100 to \$200	\$300	50%
Investigative assistant license (32 §8117, sub-§1)	1983 - \$300	\$300	None	\$450	50%
Original application for a contract security guard company license (32 §9407, sub-§1)	1981 - \$200	\$400	1983 – increased from \$200 to \$400	\$750*	87.5%
Renewal application for a contract security guard license (32 §9408)	1981 - \$100	\$200	1983 – increased from \$100 to \$200	\$500*	150%
New security guards under a contract security company license (32 §9410-A, sub-§2)	Proposed in Part II Budget	No fee currently in statute	None	\$10*	Not applicable

*Additional \$10 for each employee must also be submitted with the application or renewal fee

reclasses

2004-2005 "Part 2" Budget Bill
Departmental Impact Form
Joint Standing Committee on Appropriations and Financial Affairs

Department/Agency Name: Corrections

Program Name: Maine State Prison

Account Number(s): 010-03B-0144-01

Page # in Bill: _____

FY 2003-04

FY 2004-05

Position or FTE Increase [i.e. (0.000)] / Decrease [i.e.(-0.000)]:

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Appropriation or Allocation Increase / (Decrease):

<u>General Fund</u>	<u>0</u>	<u>0</u>
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other</u>		

Revenue or Balance Transfer Increase / (Decrease):

<u>General Fund</u>		
<u>Federal Funds</u>		
<u>Other Special Revenue funds</u>		
<u>Other (please specify)</u>		

Description of Initiative:

Provides funding for reclasses at the Maine State Prison that have been approved by the Bureau of Human Resources. The general fund positions are five Clerk Typist II positions that serve as unit clerks to Clerk Typist III positions.

Description of Impact on Program(s) -- BE SPECIFIC:

The above positions have been approved for the reclasses from the Bureau of Human Resources. The general fund positions are being funded from all other.

Does this Initiative have an impact on the 2006-2007 Biennium?

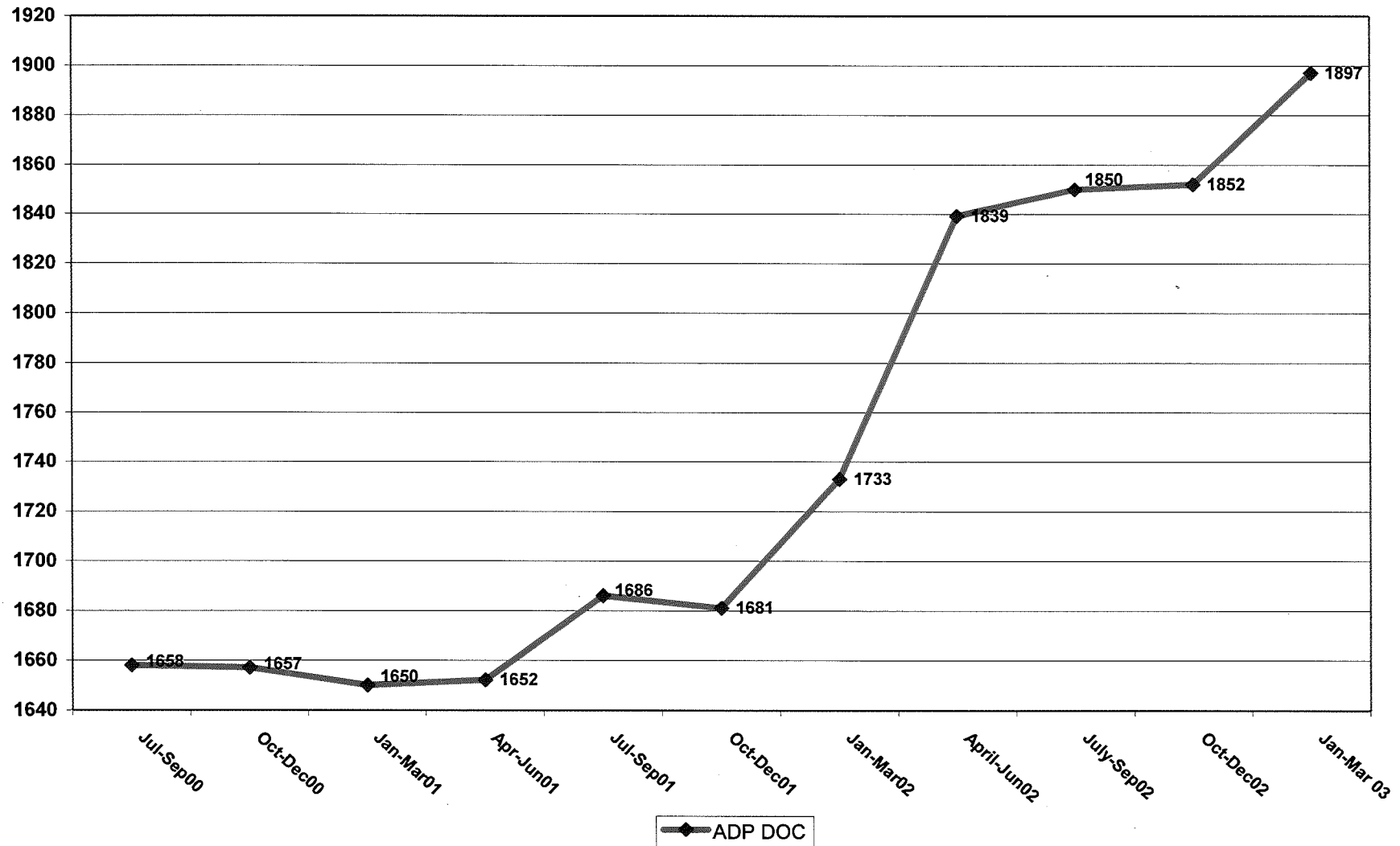
(Yes) _____ (No) X

(please explain below)

General fund is neutral, no increased cost.

p. 15 A

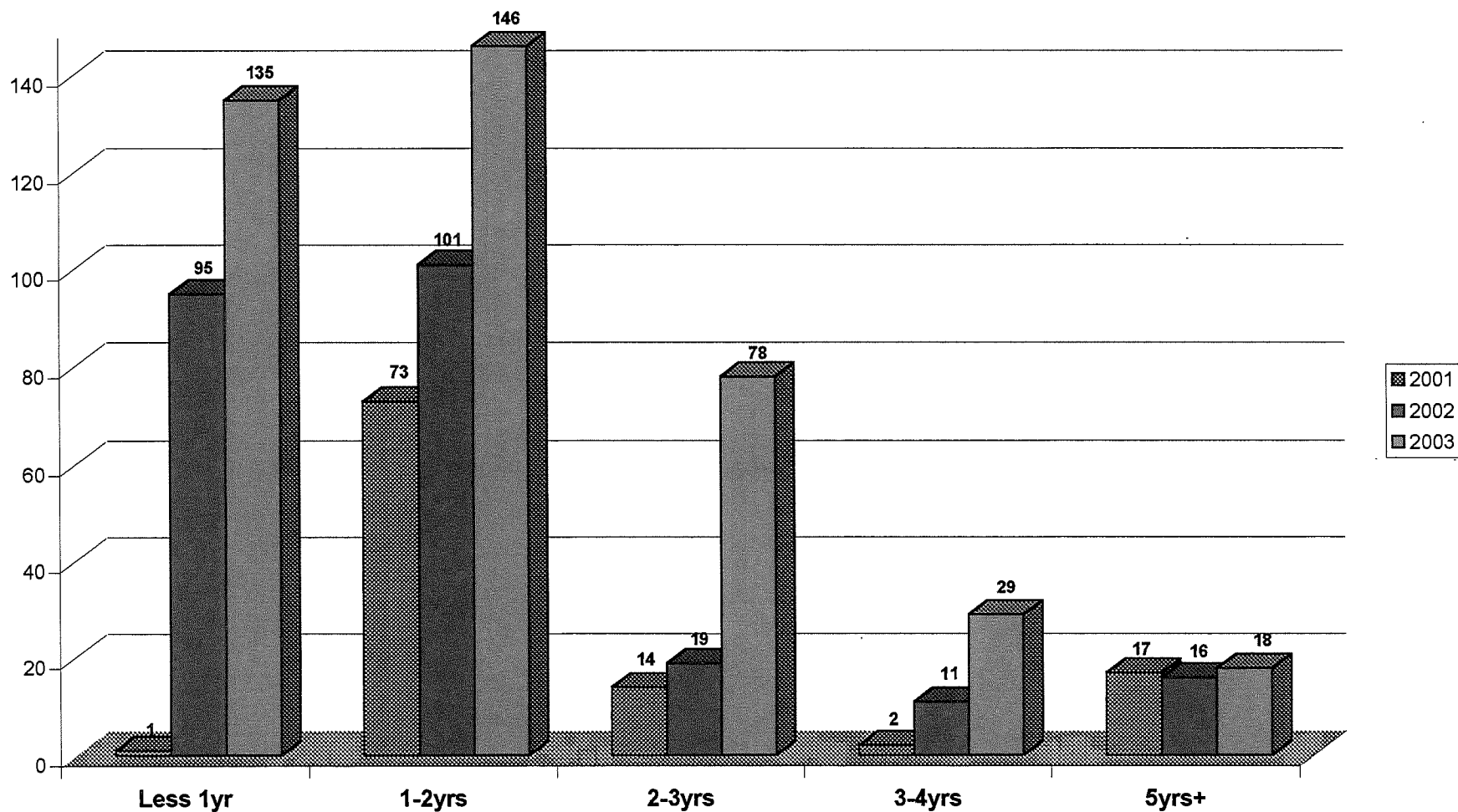
Maine Department Corrections
Adult Average Daily Population
July 2000-March 2003



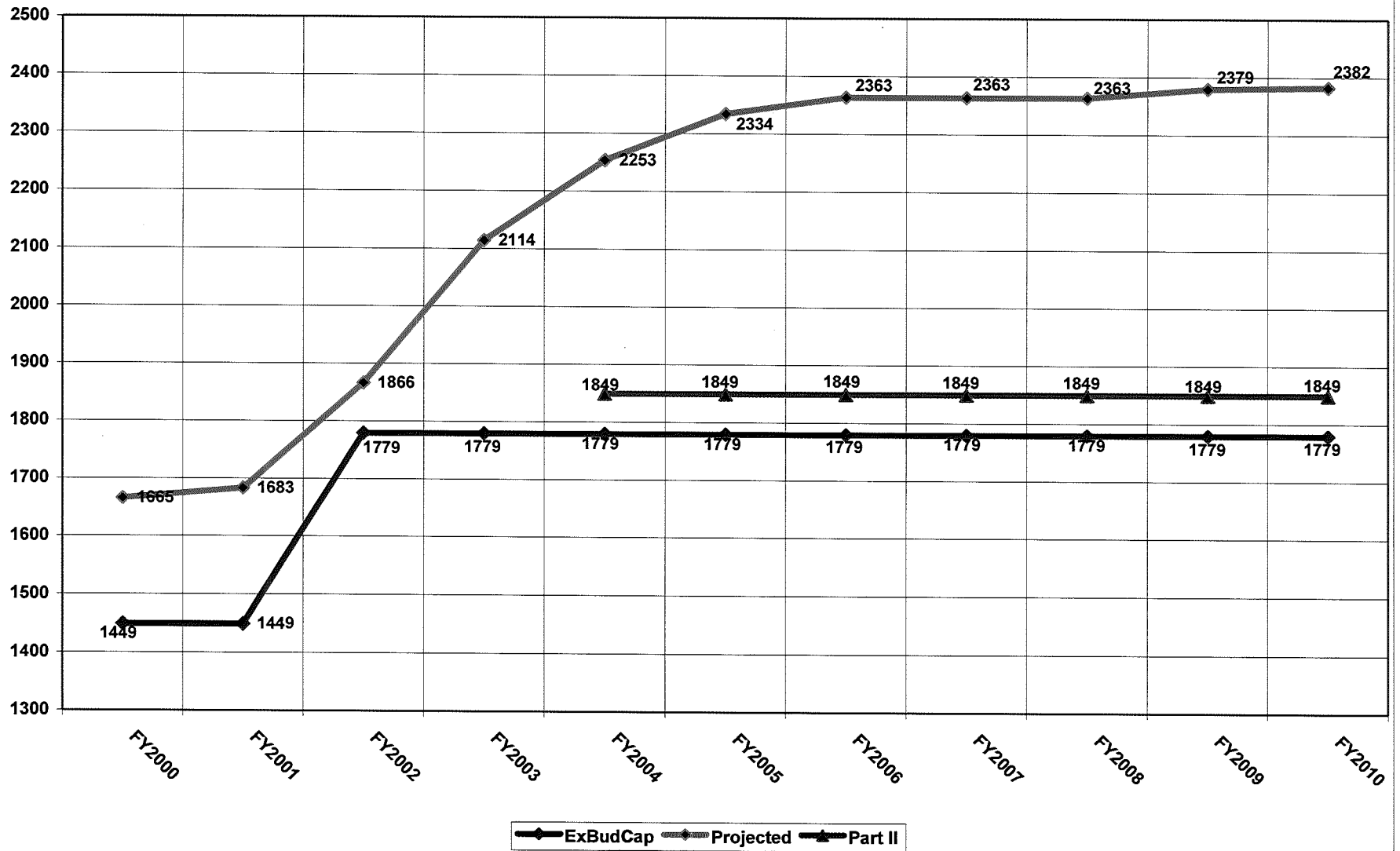
MAINE DEPARTMENT OF CORRECTIONS

Adult Admissions By Sentence Lengths

1st Quarter Yrs 01, 02, & 03



Maine Department of Corrections Adult Facility Projections, Existing & Proposed Budgeted Capacity



ETHAN K. STRIMLING, DISTRICT 28, CHAIR
 ELA H. HATCH, DISTRICT 13
 D L. CARPENTER, DISTRICT 33

MARION HYLAN BARR, LEGISLATIVE ANALYST
 JAMES ADOLF, LEGISLATIVE ANALYST
 LISA COTE, COMMITTEE CLERK



STATE OF MAINE

GEORGE H. BUNKER, KOSSUTH TWSP., CHAIR.
 PATRICIA A. BLANCHETTE, BANGOR
 STANLEY J. GERZOFISKY, BRUNSWICK
 PAUL J. LESSARD, TOPSHAM
 CAROL A. GROSE, WOOLWICH
 LOIS A. SNOWE-MELLO, POLAND
 CHRISTIAN D. GREELEY, LEVANT
 LOUIE B. MAIETTA, SOUTH PORTLAND
 RICHARD M. SYKES, HARRISON
 JOHN W. CHURCHILL, WASHBURN

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

TO: Sen. Mary R. Cathcart, Senate Chair
 Rep. Joseph C. Brannigan, House Chair
 Joint Standing Committee on Appropriations and Financial Affairs

FROM: Sen. Ethan K. Strimling, Senate Chair
 Rep. George H. Bunker, Jr., House Chair
 Joint Standing Committee on Criminal Justice and Public Safety

RE: Criminal Justice and Public Safety Committee Recommendations regarding the
 Governor's Draft 2004-2005 Part 2 Budget

DATE: May 14, 2003

Please accept the following memorandum as a follow up to our memorandum to you dated May 9, 2003. As of last week the committee had not had time to complete its review and make formal recommendations to you regarding the Department of Public Safety Part 2 request. The committee has had further discussions since last week and now presents to you this memorandum that outlines an important recommendation and reiterates remaining committee concerns.

THE COMMITTEE RECOMMENDS THAT YOU STRIKE FROM THE PART 2 BUDGET THE DEPARTMENT OF PUBLIC SAFETY'S REQUEST TO INCREASE FEES FOR FIREARMS PERMITS AND BINGO, BEANO, GAMES OF CHANCE, CONTRACT SECURITY GUARD COMPANY AND PRIVATE INVESTIGATOR LICENSES PROPOSED TO FULLY FUND THE LICENSING AND ENFORCEMENT DIVISION OF THE STATE POLICE AT ITS CURRENT BUDGETED LEVEL.

When this recommendation was made, 10 members of the committee were present, and 9 of the 10 support the recommendation. One member who was not present when the vote was taken also supports the recommendation. Specifically, the committee recommends that both the statutory language in Part S of LD 1614 that increases fees and the increased Other Special Revenue allotment of \$198,000 in 2003-04 and \$223,000 in 2004-05 to fund the current operations of the Licensing and Enforcement Division of the Maine State Police be stricken from the Part 2 Budget. Part S of LD 1614 amends the law to increase fees charged for the issuance of licenses for beano, bingo, games of chance, contract security guard companies and private

investigators and for the issuance of permits for concealed firearms and possession of firearms by felons.

The reasons for which the committee members oppose the fee increases in the Part 2 are the same reasons for which the committee opposed these increases in LD 1405, An Act to Adjust Fees Charged for Licenses Issued by the Bureau of State Police Licensing Division. As we mentioned in our memo of May 9th, we were surprised and disappointed to see the same proposal in LD 1405, which was voted out of committee "ought not to pass," show up in the department's Part 2 request. The committee killed LD 1405 because of concerns that this money from increased fees would be raised primarily on the backs of non-profits. The committee also has concerns about the Licensing and Enforcement Division being staffed by 5 State Troopers who are performing more administrative functions than law enforcement functions. Some of these tasks may be performed equally as well by civilian employees.

In addition to the staffing of the Licensing and Gaming Division, this staffing concern has been part of many of our discussions. The focus of our work continues to be ensuring that the State receives adequate public safety services. The committee believes that part of achieving optimal public safety is to put more of our law enforcement officers on the front lines, instead of in offices or assigned to administrative tasks. The committee has an interest in taking a comprehensive look at what sworn state law enforcement officers are doing in their assigned tasks. As mentioned previously, the committee is committed to working with the department to identify ways to put more of our existing State Trooper force back on the road to provide direct public safety services to the citizens of Maine.

Thank you for your attention to these important matters. We would be happy to answer any questions that you may have.

cc: Commissioner Michael Cantara, Department of Public Safety
OFPR Staff



IRVING OIL CORPORATION
190 COMMERCE WAY
PORTSMOUTH, NH 03801

May 30, 2003

Senator Mary R. Cathcart, Chair
Representative Joseph C. Brannigan, Chair
Joint Standing Committee on Appropriations & Financial Affairs
3 State House Station
Augusta, ME 04333-0003

Re: Funding for Bureau of Liquor Enforcement

Dear Sen. Cathcart & Rep. Brannigan:

We are aware that the Bureau of Liquor Enforcement, part of the Department of Public Safety, has been proposed for elimination in an effort to balance the state budget. The purpose of this letter is to inform you that Irving Oil Corporation, with more than 75 Mainway stores throughout Maine, supports the concept of a modest fee increase for the annual renewal of our licenses for the off-premise consumption of beer and wine. It is our understanding that any fee increase would be to maintain the licensing, inspection and enforcement components of the Bureau of Liquor Enforcement.

Please contact me at 603-559-8746 if you have any questions.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Malcolm Dow", written over a horizontal line.

Malcolm Dow
Corporate Security
Irving Oil Corporation

Cc: Commissioner Michael P. Cantara, Department of Public Safety

ETHAN K. STRIMLING, DISTRICT 28, CHAIR
 PAMELA H. HATCH, DISTRICT 13
 DAVID L. CARPENTER, DISTRICT 33



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STATE OF MAINE

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

TO: Sen. Mary R. Cathcart, Senate Chair
 Rep. Joseph C. Brannigan, House Chair
 Joint Standing Committee on Appropriations and Financial Affairs

FROM: Sen. Ethan K. Strimling, Senate Chair
 Rep. George H. Bunker, Jr., House Chair
 Joint Standing Committee on Criminal Justice and Public Safety

RE: Criminal Justice and Public Safety Committee Recommendations Regarding Bills on the Appropriations Table

DATE: June 4, 2003

Members of the Joint Standing Committee on Criminal Justice and Public Safety have reviewed their bills that have been placed on the Appropriations Table. Each member was asked to rank that member's individual priorities. The following list ranks the bills, beginning with the committee's first priority, based on a compilation and averaging of the members' responses.

- **1st priority:**
LD 48, An Act to Reduce Jail Overcrowding
- **2nd priority:**
LD 1498, An Act to Improve Access by the Department of Corrections to Federal Funds
- **3rd priority (2 bills were ranked equally):**
LD 1014, An Act to Enhance Professionalism of Private Investigators in This State*; and
LD 944, An Act to Increase Penalties for Furnishing or Trafficking Scheduled Drugs That Cause Death or Serious Bodily Injury (expected to be minor costs)
- **4th priority:**
LD 976, An Act to Ensure Effective Prosecution of Certain Repeat Offenders (expected to be minor costs)
- **5th priority (2 bills were ranked equally):**
LD 311, An Act to Adopt a New Interstate Compact Regarding Adults Who Are on Probation and Parole
LD 1323, An Act to Adopt an Interstate Compact for Juveniles on Probation and Parole

* One member of the committee suggested that anticipated revenue earned from LD 1014 could be used toward funding some of the costs identified in the other priorities.

Please let us know if you have questions. Thank you.