

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

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

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

13. Funding oversight. The board may:

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

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

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

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

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

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

SUMMARY

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

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