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Date: (Filing No. S-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 643, L.D. 1626, “An Act to Standardize Requirements Between Boards of Visitors for County Jails and Department of Corrections Correctional Facilities”

Amend the bill in section 1 in §1651 in subsection 2 in the 2nd line (page 1, line 10 in L.D.) by inserting after the following: "each" the following: 'jail or other county'

Amend the bill in section 1 in §1651 in subsection 2 in paragraph B in the last 2 lines (page 1, lines 21 and 22 in L.D.) by striking out the following: "be a medical or psychiatric professional" and inserting the following: 'have experience in the field of mental or behavioral health'

Amend the bill in section 1 in §1651 in subsection 2 in paragraph C in the first line (page 1, line 23 in L.D.) by striking out the following: "a former or current" and inserting the following: 'an'

Amend the bill in section 1 in §1651 in subsection 2 by striking out all of paragraph D (page 1, lines 25 and 26 in L.D.) and inserting the following:

'D. The sheriffs of 2 or more counties, at their discretion, may appoint a joint board of visitors of 7 or more members.'

Amend the bill in section 1 in §1651 in subsection 4 in paragraph A in the first line (page 1, line 32 in L.D.) by inserting after the following: "the" the following: 'jail or other county'

Amend the bill in section 1 in §1651 in subsection 4 in paragraph A in the 2nd line (page 1, line 33 in L.D.) by inserting after the following: "the" the following: 'jail or other county'

Amend the bill in section 1 in §1651 in subsection 4 in paragraph A in the 5th line (page 1, line 36 in L.D.) by striking out the following: "department" and inserting the following: 'office'

Amend the bill in section 1 in §1651 in subsection 4 in paragraph A in the 6th line (page 1, line 37 in L.D.) by striking out the first incidence of the following: "facility"

COMMITTEE AMENDMENT

1 Amend the bill in section 1 in §1651 in subsection 4 in paragraph A in the 6th line
2 (page 1, line 37 in L.D.) by inserting after the following: "the" the following: 'jail or other
3 county'

4 Amend the bill in section 1 in §1651 in subsection 4 in paragraph A in the last line
5 (page 1, line 39 in L.D.) by inserting after the following: "advocate" the following: 'or other
6 county correctional facility administrator or advocate'

7 Amend the bill in section 1 in §1651 in subsection 4 in paragraph C in the first line
8 (page 2, line 1 in L.D.) by inserting after the following: "of the" the following: 'jail or other
9 county'

10 Amend the bill in section 1 in §1651 in subsection 4 in paragraph C in the 3rd line
11 (page 2, line 3 in L.D.) by striking out the following: "department" and inserting the
12 following: 'office'

13 Amend the bill in section 1 in §1651 in subsection 4 in paragraph C in the 4th line
14 (page 2, line 4 in L.D.) by striking out the following: "the last day of the" and inserting the
15 following: 'February 15th of each'

16 Amend the bill in section 1 in §1651 in subsection 4 in paragraph C in the 6th line
17 (page 2, line 6 in L.D.) by inserting after the following: "administrator," the following: 'the
18 county correctional facility administrator,'

19 Amend the bill in section 1 in §1651 in subsection 4 in paragraph E in the first line
20 (page 2, line 14 in L.D.) by inserting after the following: "the" the following: 'jail or other
21 county'

22 Amend the bill in section 1 in §1651 in subsection 4 in paragraph E in the 3rd line
23 (page 2, line 16 in L.D.) by inserting after the following: "administrator" the following: 'or
24 a county correctional facility administrator'

25 Amend the bill in section 1 in §1651 in subsection 4 in paragraph E in the 4th line (page
26 2, line 17 in L.D.) by striking out the following: "facility" and inserting the following: 'jail'

27 Amend the bill in section 1 in §1651 in subsection 4 in paragraph F in the last line
28 (page 2, line 22 in L.D.) by striking out the following: "department" and inserting the
29 following: 'office'

30 Amend the bill in section 1 in §1651 in subsection 5 in paragraph A in the first line
31 (page 2, line 25 in L.D.) by inserting after the following: "of the" the following: 'jail or
32 other county'

33 Amend the bill in section 1 in §1651 in subsection 5 in paragraph A in the 3rd line
34 (page 2, line 27 in L.D.) by striking out the following: "department's" and inserting the
35 following: 'Department of Corrections'

36 Amend the bill in section 1 in §1651 by striking out all of subsection 6 (page 2, lines
37 37 to 42 in L.D.).

38 Amend the bill in section 1 in §1651 by striking out all of subsection 7 (page 3, lines 1
39 and 2 in L.D.).

40 Amend the bill in section 2 in subsection 1 in the first line (page 3, line 5 in L.D.) by
41 striking out the following: "6" and inserting the following: '7'

1 Amend the bill in section 2 in subsection 1 in paragraph C in the first line (page 3, line
2 11 in L.D.) by striking out the following: "~~an~~ a former or current" and inserting the
3 following: 'an'

4 Amend the bill in section 2 in subsection 1 by striking out all of paragraph F (page 3,
5 line 17 in L.D.) and inserting the following:

6 'F. The Governor shall appoint a chair from the membership.'

7 Amend the bill in section 2 in subsection 1 by striking out all of paragraph H (page 3,
8 line 20 in L.D.).

9 Amend the bill by striking out all of section 3.

10 Amend the bill in section 4 in paragraph B in the 4th line (page 3, line 30 in L.D.) by
11 striking out the following: "the last day of the" and inserting the following: 'February 15th
12 of each'

13 Amend the bill by striking out all of section 7.

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

16 SUMMARY

17 This amendment does the following:

18 1. It changes the requirement that one member of the board of visitors of a county jail
19 be a medical or psychiatric professional to a requirement that one member have experience
20 in the field of mental or behavioral health;

21 2. It removes the prohibition on appointing a former employee of a sheriff's office or
22 a former employee of the Department of Corrections to the board of visitors for a jail or
23 correctional facility;

24 3. It reinstates the ability for the sheriffs of 2 or more counties to appoint a joint board
25 of visitors;

26 4. It changes the report date of the annual report that must be submitted by a board of
27 visitors, for both county jails and correctional facilities, from on or before the last day of
28 the calendar year to February 15th of each calendar year;

29 5. It removes the requirement that members of the public have direct access to the
30 boards of visitors for both county jails and correctional facilities without being required to
31 access them through the sheriff's office or jail administration, or through the Department
32 of Corrections or correctional facility administration;

33 6. It removes the provision in the bill allowing the withholding of state funding from
34 a sheriff's office or county jail that fails to comply with board of visitor requirements;

35 7. It changes the number of members of the board of visitors for each correctional
36 facility to 7 members;

37 8. It retains the current practice that a chair of a board of visitors is appointed by the
38 Governor;

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9. It removes the requirement that each board of visitors for correctional facilities make recommendations to the chief administrative officer of the correctional facility regarding services or treatment for clients who have mental health challenges or are mentally ill; and

10. It adds language to include boards of visitors of county correctional facilities that are not jails.

FISCAL NOTE REQUIRED
(See attached)