FOR DISCUSSION PURPOSES

# DRAFT PROCESS FOR COUNTY OR REGIONAL JAIL BUDGET APPROVAL BY THE BOARD OF CORRECTIONS

## INITIAL COUNTY OR REGIONAL JAIL BUDGET REVIEW:

- **The Budget Focus Group (subcommittee) reviews each county and regional jail budget and makes funding recommendations including growth limitations to the Corrections Working Group.**

- **The Corrections Working Group (CWG) reviews, revises the Budget Focus Group funding recommendations (if necessary) and provides a report to the Board of Corrections.**

- **The Board of Corrections (BOC) reviews the Corrections Working Group (CWG) funding recommendations including growth limitations. These funding recommendations for each county and regional jail budget will be reviewed in a work session forum similar to the way the State Prison, the Maine Correctional Center and the Mountain View Youth Development Center are reviewed in our State Budget Process.**

- **Each County and Regional Jail Budget will be voted on by the Board of Corrections (BOC) using the following motions:**

  1. **"Adopt as presented";**
  2. **"Adopt as revised"; and**
  3. **"Table" pending further review.**

- **Contained in each county or regional jail budget spreadsheet must be a column that documents the Board of Corrections (BOC) motions and the vote of each Board of Corrections (BOC) member.**

- **These initial votes must be considered "tentative." (Note: The Board of Corrections (BOC) shall reserve the right to reopen or revisit any county and regional jail budget at any time until all county and regional jail budgets have been initially reviewed and tentatively approved.**

- **The final motion is to accept the entire county and regional jail budgets as presented and approved by the Board of Corrections.**

## ADOPTION OF BUDGET

- **If a county or regional jail budget does not exceed the growth limitation, the Board of Corrections (BOC) must approve the county or regional jail budget as submitted by the county or regional jail.**

- **If the county or regional jail budget exceeds the growth limitation established by the Board of Corrections (BOC) or is inconsistent with Board directives, the Board of Corrections (BOC) must further review, amend and adopt a final county or regional jail budget after a hearing (if necessary) and a budget adjustment process is completed.**

# FOR DISCUSSION PURPOSES
# BUDGET APPROVAL PROCESS

County and Regional Jails submit FY 10 budgets to the DOC by June 7, 2009

Budget Focus Group works with DOC to develop funding recommendations and growth limitations. Submits recommendations to the CWG

The Corrections Working Group reviews funding recommendations and growth limitations and makes recommendations to the Board of Corrections.

June 8 June 15

The BOC reviews the funding recommendations with the County and Regional Jails at the budget review meetings. The Board will make motions and vote on each County and Regional Jail budget.

June 18

The Board will make a final motion to accept the entire county and regional budgets as presented and approved by the Board of Corrections

June 24

§710 PDF
§710WORD/RTF
STATUTE SEARCH
CH. 3 CONTENTS
TITLE 30-A CONTENTS
LIST OF TITLES
DISCLAIMER
MAINE LAW
REVISOR'S OFFICE
MAINE LEGISLATURE



## §710. County correctional services budget procedure

**1. Budget growth limitation and proposed budget.** At least 6 months before the beginning of each state fiscal year, the State Board of Corrections, established in Title 5, section 12004-G, subsection 6-C and referred to in this section as "the board," shall set a growth limitation for the correctional services expenditures in the new fiscal year for each county budget. The county commissioners shall submit itemized correctional services budgets to the board in a format and by a date to be determined annually by the board.

[ 2007, c. 653, Pt. A, §12 (NEW) .]

**2. Limitation on growth of county correctional services budgets.** The board shall review each county correctional services budget submitted under subsection 1. If the county correctional services budget submitted to the board does not exceed the growth limitation established under subsection 1 and is consistent with board directives under Title 34-A, section 1803, the board must accept the county commissioners' approval of the county's correctional services budget.

If the county correctional services budget submitted exceeds the growth limitation established under subsection 1 or is inconsistent with board directives under Title 34-A, section 1803, the board must further review, amend and adopt a correctional services budget for the county under subsections 3, 4 and 5.

[ 2007, c. 653, Pt. A, §12 (NEW) .]

**3. Hearing on county commissioners' budget.** If a county correctional services budget submitted to the board exceeds the growth limitation established under subsection 1 or is inconsistent with a directive of the board under Title 34-A, section 1803, the board must further review the proposed budget together with any supplementary material prepared by the county commissioners, county correctional services administrators, the Department of Corrections or any other person or entity from whom the board chooses to receive supplementary material. The board may hold a hearing under this subsection, except that it shall hold a hearing on a county correctional services budget when the county requests a hearing. If the board holds a hearing under this subsection, the provisions of Title 5, chapter 375, subchapter 4 apply.

[ 2007, c. 653, Pt. A, §12 (NEW) .]

**4. Budget adjustment process.** For a county correctional services budget submitted to the board, the board may amend or accept the proposed budget provided that the total estimated revenues, together with the amount of county tax to be levied pursuant to section 701, subsections 2-A and 2-B, equal the total estimated expenditures.

[ 2007, c. 653, Pt. A, §12 (NEW) .]

**5. Adoption of budget.** After review of a county correctional services budget submitted to the board under subsection 2, a hearing, if necessary pursuant to subsection 3, and the adjustment process under subsection 4, the board shall adopt a final correctional services budget for the county and transmit that budget to the county commissioners.

[ 2007, c. 653, Pt. A, §12 (NEW) .]

**6. Assessment of taxes.** The property tax assessment for county correctional services expenditures as established in section 701, subsection 2-A, and the county jail debt assessment established in section 701, subsection 2-B, approved by the board processes, are the final authorization for the assessment of county taxes. The budget must be sent to the county commissioners and the county tax must be authorized, apportioned and collected in accordance with section 706.

[ 2007, c. 653, Pt. A, §12 (NEW) .]

SECTION HISTORY
2007, c. 653, Pt. A, §12 (NEW).

§709 PDF
§709WORD/RTF
STATUTE SEARCH
CH. 3 CONTENTS
TITLE 30-A CONTENTS
LIST OF TITLES
DISCLAIMER
MAINE LAW
REVISOR'S OFFICE
MAINE LEGISLATURE

§708

# Title 30-A: MUNICIPALITIES AND COUNTIES HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

§710

## Part 1: COUNTIES HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

## Chapter 3: COUNTY BUDGET AND FINANCES HEADING: PL 1987, C. 737, PT. A, §2 (RP)

## Subchapter 1: TAX ASSESSMENT AND BUDGET PROCESS HEADING: PL 1991, C. 204, §1 (RPR)

## Article 1: ASSESSMENT OF TAXES; GENERALLY HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

### §709. County correctional services budgets presented to State Board of Corrections

Notwithstanding any other provision of law, beginning July 1, 2008 and for all subsequent fiscal years, 4 months prior to the beginning of the fiscal year the county clerk from each county shall submit that county's annual correctional services budget for the state fiscal year to the State Board of Corrections established in Title 5, section 12004-G, subsection 6-C. The budget submitted must be signed by the chair of the county commissioners and attested to by the county commissioners' clerk. The budget must include specific amounts for each correctional services related expenditure. [2007, c. 653, Pt. A, §11 (NEW).]

SECTION HISTORY
2007, c. 653, Pt. A, §11 (NEW).

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