

State Board of Corrections
2014-2015 Regulatory Agenda
June 30, 2014

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95-644: State Board of Corrections

Agency Umbrella-Unit Number: **95-644**
Agency Name: **State Board of Corrections**

EMERGENCY RULES ADOPTED SINCE THE PREVIOUS REGULATORY AGENDA:
None

EXPECTED 2014-2015 RULE-MAKING ACTIVITY:

New Rule: Definitions

STATUTORY AUTHORITY: 34-A M.R.S. § 1803(8)

PURPOSE: To define and establish uniform meanings for terms used throughout rules adopted by the State Board of Corrections.

ANTICIPATED SCHEDULE: Fall/Winter adoption

AFFECTED PARTIES

Regulated Parties: State and county detention and correctional facilities.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

New Rule: Certificate of Need (major substantive rule)

STATUTORY AUTHORITY: 34-A M.R.S. §§ 1803(4) and 1803(8)

PURPOSE: To establish a certificate of need process and procedures for the review and approval of any future public or private capital correctional construction projects and financing alternatives.

ANTICIPATED SCHEDULE: Fall/Winter adoption

AFFECTED PARTIES

Regulated Parties: State, county, and private detention and correctional facilities seeking capital correctional construction projects.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

New Rule: Jail Record Keeping and Reporting of Financial Data

STATUTORY AUTHORITY: 34-A M.R.S. §§ 1803(8), 1808(1), and 1810(4)

PURPOSE: To establish standards and procedures for county jail budgets and record keeping.

ANTICIPATED SCHEDULE: Fall/Winter adoption

AFFECTED PARTIES

Regulated Parties: County detention and correctional facilities.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

New Rule: Jail Budget Process

STATUTORY AUTHORITY: 34-A M.R.S. §§ 1803(8), 1810(1), and 1810(4)

PURPOSE: To establish standards for the county jail budget format, county jail budget process, and county jail budget submission.

ANTICIPATED SCHEDULE: Fall/Winter adoption

AFFECTED PARTIES

Regulated Parties: County detention and correctional facilities.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

New Rule: Capital Expenditure Budget

STATUTORY AUTHORITY: 34-A M.R.S. §§ 1803(8) and 1811(4)

PURPOSE: To establish standards for governing the capital expenditure budget of the coordinated jail system, including standardized development, reporting, and decision-making of capital expenditure requests and needs.

ANTICIPATED SCHEDULE: Fall/Winter adoption

AFFECTED PARTIES

Regulated Parties: County detention and correctional facilities.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

New Rule: Jail Staffing

STATUTORY AUTHORITY: 34-A M.R.S. §§ 1803(2)(B) and 1803(8)

PURPOSE: To establish standards and procedures for analyzing and establishing staffing qualifications and levels at county jail facilities.

ANTICIPATED SCHEDULE: Fall/Winter adoption

AFFECTED PARTIES

Benefited Parties: County jail staff

Regulated Parties: County detention and correctional facilities.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

New Rule: Inmate Administration

STATUTORY AUTHORITY: 34-A M.R.S. §§ 1803(1)(E), 1803(2)(D), and 1803(8)

PURPOSE: To establish parameters for facility population and policies regarding the management of county jail bed space and inmate transfers between county jails.

ANTICIPATED SCHEDULE: Fall/Winter adoption

AFFECTED PARTIES

Benefited Parties: County jail inmates

Regulated Parties: County detention and correctional facilities.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

New Rule: Inmate Services

STATUTORY AUTHORITY: 34-A M.R.S. §§ 1803(3)(A), 1803(3)(B) and 1803(8)

PURPOSE: To establish standardization of inmate programs, services, and treatment across the coordinated correctional system.

ANTICIPATED SCHEDULE: Fall/Winter adoption

AFFECTED PARTIES

Benefited Parties: County jail inmates

Regulated Parties: County detention and correctional facilities.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

New Rule: Mediation Proceedings

STATUTORY AUTHORITY: 34-A M.R.S. §§ 1803(8) and 1814(2)

PURPOSE: To develop a mediation process for resolving disagreements and disputes between counties and the Board.

ANTICIPATED SCHEDULE: Fall/Winter adoption

AFFECTED PARTIES

Regulated Parties: Board of Corrections, County detention and correctional facilities.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

New Rule: Habitual Violators (major substantive rule)

STATUTORY AUTHORITY: 34-A M.R.S. §§ 1803(8) and 1814(1)(E)

PURPOSE: To establish procedures for determining whether a county jail is “habitual violator” under 34-A M.R.S. § 1814(1)(E) and for restricting or modifying the operations of habitual violators.

ANTICIPATED SCHEDULE: Fall/Winter adoption

AFFECTED PARTIES

Regulated Parties: Board of Corrections, County detention and correctional facilities.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated