



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 238

S.P. 74

In Senate, February 5, 2013

**An Act To Designate the Jail in Franklin County as a Jail Rather
than a Holding Facility**

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in dark ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Representative BLACK of Wilton and
Representative: HARVELL of Farmington.

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

2 Sec. 1. 34-A MRSA §1803, sub-§2, ¶¶B and C, as enacted by PL 2007, c. 653,
3 Pt. A, §30, are amended to read:

4 B. Review staffing levels at each correctional facility and county jail to ensure that
5 safe conditions exist for staff, inmates and others; ~~and~~

6 C. Review the use of all correctional facilities and county jails. The board may
7 downsize or close facilities or reassign services. The board shall adopt rules
8 governing the process and standards for closing or downsizing a correctional facility
9 or a county jail, including criteria to be evaluated and stakeholders to be consulted.
10 Rules adopted pursuant to this paragraph are major substantive rules as defined in
11 Title 5, chapter 375, subchapter 2-A; and

12 Sec. 2. 34-A MRSA §1803, sub-§2, ¶D is enacted to read:

13 D. Notwithstanding this section or any rule governing change of use of a state adult
14 correctional facility or county jail, designate the jail in Franklin County as a jail and
15 not a holding facility.

16

SUMMARY

17 The State Board of Corrections has statutory authority to determine correctional
18 facility and county jail use. Currently, the jail in Franklin County, the Franklin County
19 Detention Center, is designated by the board as a holding facility that may hold detainees
20 for up to 72 hours. This bill specifies that the board must designate the jail in Franklin
21 County as a jail for prisoners and not as a holding facility.