

AGENCY UMBRELLA-UNIT NUMBER: **95-644**
AGENCY NAME: **Board of Corrections**

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EMERGENCY RULES ADOPTED SINCE THE PREVIOUS REGULATORY AGENDA:

CHAPTER 2: Change of Use, Downsizing or Closure of Correctional Facilities

EXPECTED 2010 - 2011 RULE-MAKING ACTIVITY:

CHAPTER 2: Sec. 1 Change of Use, Downsizing or Closure of Correctional Facilities

STATUTORY AUTHORITY: 34-A M.R.S.A., Sections 1803, subsection 2

PURPOSE: The purpose of the rule is to establish the process and standards used by the Board of Corrections to determine the use of state correctional facilities and county jails; determine if a state correctional facility or county jail should be assigned a new service responsibility; or determine if a state correctional facility or county jail should be downsized or closed.

ANTICIPATED SCHEDULE: Fall/Winter adoption

AFFECTED PARTIES: Regulated parties: county jail facilities and state correctional facilities.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CHAPTER 2: Sec. 2 Certificate of need for public or private capital correctional construction projects

STATUTORY AUTHORITY: 34-A M.R.S.A., Section 1803, subsection 4

PURPOSE: Final Adoption. The purpose of the rule is 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: Winter/Spring adoption

AFFECTED PARTIES: Regulated parties: public or private capital correctional construction projects.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated

CHAPTER 2: Sec 3 Implementation of Board Responsibilities and Duties

STATUTORY AUTHORITY: 34-A M.R.S.A., Section 1803, subsection 8

PURPOSE: Final Adoption. The purpose of the rules is to establish policies and procedures necessary to implement the board's responsibilities.

ANTICIPATED SCHEDULE: Spring/Summer adoption

AFFECTED PARTIES: Regulated parties: public or private capital correctional construction projects.

CONSENSUS-BASED RULE DEVELOPMENT: not contemplated