**95-644**

**STATE BOARD OF CORRECTIONS**

2014 – 2015 Regulatory Agenda

June 30, 2014

UMBRELLA-UNIT NUMBER: **95-644**

AGENCY: **State Board of Corrections**

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**EMERGENCY RULES ADOPTED SINCE 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(l)(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 34A 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