

M.C.C.A.

Peter Baldacci, President
Penobscot County Commissioner

Thomas Coward, Vice President
Cumberland County Commissioner

Michael Cote, Secretary-Treasurer
York County Commissioner

Rosemary Kulow
Executive Director

Lauren Haven
Office Manager



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MCCA Board of Directors' Meeting Agenda 10:00 a.m., September 30, 2016

- I. Call to Order, Introductions, Attendance & Pledge of Allegiance**
- II. Approval of/Additions to the Agenda**
- III. Approval of August 10, 2016 Board of Directors' Meeting Minutes**
- IV. Old Business**
 - A. Discussion about Ideas for Potential Legislation**
- V. New Business**
- VI. Reports**
 - A. Executive Director's & Financial Reports**
 - B. Legislation Development Committee Report**
 - C. Professionalism in Management Committee Report**
 - D. Association Reports**
 - E. Corrections Report**
 - F. Annual Convention Report**
 - G. NACo Report**
- VII. Other Business**
- VIII. Adjournment**

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MAINE COUNTY COMMISSIONERS ASSOCIATION

MCCA Board of Directors' Meeting Minutes 10:00 a.m., August 10, 2016

I. Call to Order, Introductions, Attendance and Pledge of Allegiance

Vice President Tom Coward called the meeting to order at 10:45 a.m. The attendees recited the Pledge of Allegiance and all present introduced themselves.

DIRECTORS PRESENT: *Androscoggin* – Comm. Beth Bell; *Aroostook* – Comm. Norman Fournier; *Cumberland* – Comm. Thomas Coward; *Franklin* – Comm. Gary McGrane; *Knox* – Comm. Roger Moody; *Lincoln* – Comm. William Blodgett; *Oxford* – Administrator Scott Cole proxy for Comm. Steven Merrill; *Penobscot* – Administrator Bill Collins proxy for Comm. Peter Baldacci; *Piscataquis* – Comm. James Annis; *Somerset* – Comm. Newell Graf; *Waldo* – Comm. Amy Fowler; and *York* – Comm. Michael Cote.

OTHERS PRESENT: *Androscoggin* – Comm. Sally Christner and Comm. Alfreda Fournier; *Cumberland* – Comm. Steve Gordon; *Knox* – Administrator Andy Hart; *Lincoln* – Administrator Carrie Kipfer; *Piscataquis* – County Manager Tom Lizotte; *Somerset* – Administrator Dawn DiBlasi; *EMAD* – Sean Goodwin; *MACT* – David Parkman;

DIRECTORS ABSENT: *Hancock* – Comm. Steven Joy; *Kennebec* – Comm. George Jabar II; *Oxford* – Comm. Steven Merrill; *Penobscot* – Comm. Peter Baldacci; *Sagadahoc* – Comm. Charles Crosby III; *Waldo* – Comm. Amy Fowler; and *Washington* – Comm. Chris Gardner.

STAFF PRESENT: Executive Director Rosemary Kulow, Risk Pool Manager Malcolm Ulmer, and Office Manager Lauren Haven.

II. Approval of/Additions to the Agenda

Administrator Scott Cole requested an addition to the agenda concerning a threat to the Oxford County Communications Center. Comm. Moody moved and Comm. Graf seconded approving the agenda with the additional item as V.B. The motion was approved unanimously.

III. Approval of July 13, 2016 Board of Directors' Meeting Minutes

Comm. Fournier moved and Comm. Cote seconded approving the minutes from the Board of Directors' meeting on July 13, 2016. The motion was passed unanimously.

IV. Old Business

A. Host County for 2017 MCCA Conference

Waldo County has generously offered to host the 2017 convention. Inquiries have been made to Point Lookout for potential dates in the fall. Oxford and Androscoggin are options for 2018 and will be revisited at a later date.

V. New Business

A. Discussion – Legislation Ideas from Counties

Legislation could be developed concerning the insurance coverage of county employees drawing blood for drug testing.

Bill Collins is writing a letter regarding the standardized fire protocols in emergency centers. There is an unfunded mandate to follow the new protocols. In order to do this communication centers need to acquire specific software, which should be eligible for existing state funding.

Comm. Moody suggested developing a net metering proposal for solar panel farms.

Comm. Fournier intends to submit legislation to remove the tax cap on jail budgets. The group discussed the idea of removing the jail tax cap and the position of each county. The majority of counties (8-3) were in favor of removing the tax cap enabling counties to decide, but keeping tax increases tied to the LD1 growth factor. Administrator Dawn DiBlasi suggested reaching out to the members of the MMA LPC to make them aware of the jail funding issue for counties. Executive Director Rosemary Kulow will obtain the list and distribute it.

B. Oxford County Communication Center Threat (added to the agenda in item II.)

Administrator Scott Cole stated that the Oxford County Communication Center recently received several threatening phone calls one evening. Even more disturbing than the nature of the calls was that a county employee, yet to be identified, divulged the Spillman data to the media which prompted more damage control than would have been necessary otherwise. Administrator Cole asked that county commissioners speak to their employees about this matter.

VI. Reports

A. Executive Director's & Financial Reports

Executive Director Rosemary Kulow presented her report and invited questions. Comm. McGrane moved and Comm. Cote seconded placing the report on file. The motion was unanimously approved. The group then reviewed the financial reports. Comm. Moody moved to approve the reports as written. Comm. McGrane seconded the motion which was approved without opposition.

B. Legislation Development Committee Report

The minutes of the Legislation Development Committee (LDC) meeting were reviewed. The group revisited the idea of drafting a bill related to blood draws by County employees.

C. Professionalism in Management Committee (PMC) Report

Comm. Cote reported the committee is working on a one day training course to occur in early December before newly elected officials take office. The content will focus on subjects such as the Freedom of Access Act, risk management, etc. Ms. DiBlasi suggested the Board of Directors approve the curriculum to assure statutory accuracy. Comm. Cote said the curriculum would be checked by legal counsel. Treasurer David Parkman asked if all newly elected officials would be able to attend. Comm. Cote said the curriculum would be geared toward commissioners, but all newly elected officials would be eligible to participate. The committee plans to meet for the last time in October to approve the syllabus.

D. Association Reports

EMAD: Sean Goodwin reported there are no public funds available for private road maintenance.

Securing FEMA money is an ongoing battle to deal with the remnants of the ice storm damage.

MACCAM: Administrator Bill Collins reported the group met in July. The jail tax cap was discussed during the meeting. The next meeting will be at the MCCA convention.

MACT: No report was given other than the group plans to meet at the convention.

No reports were given for the following associations:

MARP

MECCA

MRDA

MSA

E. Corrections Report – Administrator Bill Collins reported that Sheriff Morton will be replaced as the MCCA representative from MSA.

F. Annual Convention Report

Administrator Bill Collins reported that registration is open for attendees. Sixteen vendors and sponsors have registered for the convention. Ms. Kulow offered that MCCA staff could provide copies of registration forms to bring back to counties. Bill Collins reminded commissioners that each county brings two gifts to be raffled off to attendees during the convention.

G. NACo Report

NACo's Annual Conference was attended by Comm. McGrane and Executive Director Rosemary Kulow in Long Beach, CA. Both were involved in meetings and workshops during the

event. Of particular note, they had an opportunity to see the Queen Mary ocean liner. There were approximately 2,500 attendants at the conference.

VII. Other Business

The board members were reminded that the next monthly MCCA meeting will not be the second Wednesday of September, but instead it will be held at the convention on September 30th at 10:00 am following the Risk Pool meeting at 9:00 am.

VIII. Adjournment

Comm. Fournier made a motion to adjourn at 11:50 a.m.; Comm. Cote seconded the motion, which was unanimously approved. The group adjourned to lunch.

Respectfully submitted,



MCCA Office Manager, Lauren Haven

Attested:

MCCA Secretary-Treasurer, Michael Cote

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MCCA Legislation Development Committee

Ideas for Potential Legislation in 2017

Legislation should focus on circumstances beyond county control and those which cause fiscal impacts. –
Sheriff Morton

- Regulation of consecutive sentencing that places inmates in jails longer than 9 months – Mike Cote
- Formation of regional/county criminal justice committees – Peter Baldacci
- Automatic transfer of inmates to state prison if incarceration lasts longer than 9 months – Steve Gorden
- Violators of probation should return to state prison, rather than county jail – Troy Morton
- Legislation to regulate blood draws (phlebotomy) resulting from arrests – Newell Graf
- Greater discretion for law enforcement to issue summonses, rather than arrest and incarcerate – Steve Gorden
- Tax cap on jail funding – MSA will support County Commissioners' lead on this. – MSA
- Handling of people who turn themselves in. – MSA
- Change in probation – MSA
- Allow and clarify language to board inmates at other facilities. – MSA
- Raise fees to file civil papers & require them to be served by members of sheriffs' departments. – MSA
- Step up qualifications for those who will run for sheriff. – MSA
- Clarify duties and responsibilities of sheriffs. – MSA
- Revise the funding formula for Average Daily Prisoners (ADP). – MSA
- Increase fees to register sex offenders – MSA.
- Use of drones – MSA
- A few other ideas for legislation were offered from MSA, but no other legislative ideas from other county departments were brought before the committee at this time.

Non-County Factors that Increase Jail Time & Costs to County Jails

- Overcrowding due to opioid epidemic arrests
- Mental illness
- Substance abuse/addiction
- Medical conditions
- Lack of communication and understanding among criminal justice system stakeholders
- Delays in trial court and sentencing caused by:
 - prosecuting district attorneys
 - defendants/defense attorneys
 - scheduling by court clerks
 - types of sentences issued by judges
 - inability to pay bail
 - scheduling/conducting psychological evaluations
 - medical conditions
 - addiction/substance abuse treatment & counseling
 - inexperienced court-appointed attorneys who avoid unpleasant clients
- Sending probation violators to county jail, rather than to the state facility where their underlying sentence was imposed.
- Consecutive sentencing for more than one conviction and other judicial sentencing decisions
- Natural cost increases of goods and services due to changing economy
- In-court hearings vs. video-conferencing

Ideas for Revised Jail Legislation

1. Return state funding to Community Corrections funds and Fines & Surcharge revenue and create a state funding share that correlates to state-mandated or responsible jail costs, (i.e., court-driven delays, probation violations, arrests for state law violations, etc.)
2. Remove property tax cap for county jail budgets and tie the local property tax levy to the "LD 1" growth factor as is the case for all other sectors of county budgets.
3. Remove restrictions on counties' charging inmate boarding fees from one county to another.
4. Remove DOC Commissioner authority to place inmates if overcrowding is an issue in county of arrest.
5. Any requirement for counties to report to the Legislature should remain narrowly tailored and relate directly and only to the portion of funding it receives from the State.
6. No more boarding state prisoners at county jails, except by mutual agreement.
7. Counties will work out boarding and transportation among themselves, with no State intervention or coordination.
8. Define how the State will help defray costs of inmates who have mental illness and/or substance abuse/addiction issues.

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

S.P. 61 - L.D. 186

An Act To Reverse Jail Consolidation

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, for the continued stable and effective operation of the jails of this State, the transition from control by the State Board of Corrections to control by the sheriffs of the counties must occur on July 1, 2015; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 1 MRSA §402, sub-§3, ¶Q, as amended by PL 2013, c. 339, §1, is further amended to read:

Q. Security plans, staffing plans, security procedures, architectural drawings or risk assessments prepared for emergency events that are prepared for or by or kept in the custody of the Department of Corrections or a county jail if there is a reasonable possibility that public release or inspection of the records would endanger the life or physical safety of any individual or disclose security plans and procedures not generally known by the general public. Information contained in records covered by this paragraph may be disclosed to state and county officials if necessary to carry out the duties of the officials; ~~or the Department of Corrections or members of the State Board of Corrections~~ under conditions that protect the information from further disclosure;

Sec. 2. 4 MRSA §1057, sub-§3-A, as amended by PL 2013, c. 598, §1, is further amended to read:

3-A. Reimbursement to counties. Monthly, the Treasurer of State shall transfer funds from the Government Operations Surcharge Fund to the ~~State Board of Corrections~~

~~Operational-Support-Fund County Jail Operations Fund~~ program for the purpose of supporting the operation of the jails in an amount equal to 2% of the total fines, forfeitures and penalties, including the surcharge imposed pursuant to subsection 2-A, received by the Treasurer of State for deposit in the Government Operations Surcharge Fund. The balance remaining in the Government Operations Surcharge Fund at the end of each month must accrue to the General Fund. Funds collected and deposited each month to the Government Operations Surcharge Fund must be transferred on the last day of the month in which the collections are made to the ~~State Board of Corrections Operational-Support-Fund County Jail Operations Fund~~ program under Title 34-A, section 1805.

At the close of each month, the State Controller shall calculate the amount to be transferred to the ~~State Board of Corrections Operational-Support-Fund County Jail Operations Fund~~ program based on the collections made during the month. The State Controller shall transfer by journal entry the amount due to the ~~State Board of Corrections Operational-Support-Fund County Jail Operations Fund~~ program. ~~This subsection takes effect July 1, 2009.~~

Sec. 3. 5 MRSA §1591, sub-§4, as amended by PL 2013, c. 598, §2, is repealed.

Sec. 4. 5 MRSA §12004-G, sub-§6-C, as enacted by PL 2007, c. 653, Pt. A, §3, is repealed.

Sec. 5. 14 MRSA §5545, 2nd ¶, as amended by PL 2007, c. 653, Pt. A, §4, is further amended to read:

Whenever, under this section or under any other section in this chapter, a court issues a writ of habeas corpus ordering before it a prisoner confined in any penal or correctional institution under the control of the ~~Department of Health and Human Services or the~~ Department of Corrections, or confined in any county jail, its order as to the transportation of the prisoner to and from the court must be directed to the sheriff of the county in which the court is located. It is the responsibility of the sheriff or any one or more of the sheriff's authorized deputies pursuant to any such order to safely transport a prisoner to and from the court and to provide safe and secure custody of the prisoner during the proceedings, as directed by the court. At the time of removal of a prisoner from an institution, the transporting officer shall leave with the head of the institution an attested copy of the order of the court, and upon return of the prisoner shall note that return on the copy. ~~This paragraph as it relates to the responsibility for transportation is applicable to transfers from the county jail to any other county jail or to a state correctional facility under Title 34-A, section 1405.~~

Sec. 6. 30-A MRSA §101, sub-§6-B, as enacted by PL 2007, c. 653, Pt. A, §5, is repealed.

Sec. 7. 30-A MRSA §406, as amended by PL 2011, c. 374, §§1 to 3 and corrected by RR 2011, c. 1, §46, is repealed.

Sec. 8. 30-A MRSA §701, sub-§2, as repealed and replaced by PL 2009, c. 415, Pt. A, §14, is repealed and the following enacted in its place:

2. Preparation of estimates. In order to assess a county tax, the county commissioners, in accordance with the schedule established in the county charter or, if the county does not have a charter, by the end of the state fiscal year, shall prepare estimates of the sums necessary to pay the expenses that have accrued or may probably accrue for the coming year for correctional services. The estimates must be drawn so as to authorize the appropriations to be made for correctional services.

Sec. 9. 30-A MRSA §701, sub-§2-A, as amended by PL 2013, c. 598, §3, is repealed.

Sec. 10. 30-A MRSA §701, sub-§2-B, as enacted by PL 2007, c. 653, Pt. A, §9, is repealed.

Sec. 11. 30-A MRSA §701, sub-§2-C is enacted to read:

2-C. Tax assessment for correctional services beginning July 1, 2015. Beginning July 1, 2015, the counties shall annually collect no less than \$62,172,371 from municipalities for the provision of correctional services in accordance with this subsection. The counties may collect an amount that is more than the base assessment limit established in this subsection, except that the additional amount each year may not exceed the base assessment limit as adjusted by the growth limitation factor established in section 706-A, subsection 3 or 3%, whichever is less. For the purposes of this subsection, "correctional services" includes management services, personal services, contractual services, commodity purchases, capital expenditures and all other costs, or portions thereof, necessary to maintain and operate correctional services. "Correctional services" does not include county jail debt unless there is a surplus in the account that pays for correctional services at the end of the state fiscal year.

The assessment to municipalities within each county may not be greater or less than the base assessment limit, which is:

- A. A sum of \$4,287,340 in Androscoggin County;
- B. A sum of \$2,316,666 in Aroostook County;
- C. A sum of \$11,575,602 in Cumberland County;
- D. A sum of \$1,621,201 in Franklin County;
- E. A sum of \$1,670,136 in Hancock County;
- F. A sum of \$5,588,343 in Kennebec County;
- G. A sum of \$3,188,700 in Knox County;
- H. A sum of \$2,657,105 in Lincoln County;
- I. A sum of \$1,228,757 in Oxford County;
- J. A sum of \$5,919,118 in Penobscot County;
- K. A sum of \$878,940 in Piscataquis County;
- L. A sum of \$2,657,105 in Sagadahoc County;

M. A sum of \$5,363,665 in Somerset County;

N. A sum of \$2,832,353 in Waldo County;

O. A sum of \$2,000,525 in Washington County; and

P. A sum of \$8,386,815 in York County.

Sec. 12. 30-A MRSA §706-A, sub-§1, as amended by PL 2007, c. 653, Pt. A, §10, is further amended to read:

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings:

A. "Average real personal income growth" has the same meaning as under Title 5, section 1531, subsection 2.

B. "County assessment" means: total annual county appropriations reduced by all resources available to fund those appropriations other than the county tax.

~~(1) For the tax year of any county that began prior to January 1, 2009, total annual county appropriations reduced by all resources available to fund those appropriations other than the county tax; or~~

~~(2) For the tax year of any county that begins on or after January 1, 2009, total annual county appropriations for noncorrectional related services as established in section 701, reduced by all resources available to fund those appropriations other than the county tax.~~

C. "Forecasted inflation" has the same meaning as under Title 5, section 1531, subsection 6.

D. "Property growth factor" means the percentage equivalent to a fraction, established by a county, whose denominator is the total valuation of all municipalities, plantations and unorganized territory in the county, and whose numerator is the amount of increase in the assessed valuation of any real or personal property in those jurisdictions that became subject to taxation for the first time, or taxed as a separate parcel for the first time for the most recent property tax year for which information is available, or that has had an increase in its assessed valuation over the prior year's valuation as a result of improvements to or expansion of the property. ~~The State Tax Assessor shall provide to the counties forms and a methodology for the calculation of the property growth factor, and the counties shall use those forms and the methodology to establish the property growth factor.~~

E. "State and local tax burden" has the same meaning as under Title 5, section 1531, subsection 9.

Sec. 13. 30-A MRSA §709, as amended by PL 2011, c. 374, §4, is repealed.

Sec. 14. 30-A MRSA §710, as amended by PL 2013, c. 598, §§4 to 6, is repealed.

Sec. 15. 30-A MRSA §932, sub-§3, as amended by PL 2009, c. 391, §4, is repealed.

Sec. 16. 30-A MRSA §1557-B is enacted to read:

§1557-B. Transfer from a sending jail to a receiving jail

1. Transfer. A sheriff may transfer a prisoner from a jail to another jail upon the request of the sheriff of the sending jail and the approval of the sheriff of the receiving jail. A sheriff may transfer a prisoner to a correctional facility upon the request of the sheriff of the sending jail and the approval of the Commissioner of Corrections.

2. Transfer cost. The county of the sending jail shall pay the cost of the transfer or return of the prisoner under subsection 1.

3. Reimbursement. Reimbursement for the support of a prisoner who is transferred by a sending jail to a receiving jail or the Department of Corrections is subject to the provisions of this subsection.

A. During a state fiscal year in which at least \$12,202,104 has been appropriated to the County Jail Operations Fund and disbursements have been made equal to that amount to the counties as required by Title 34-A, section 1210-D, the receiving jail or the department may not charge the sending jail a per diem rate for the transferred prisoner.

B. During a state fiscal year in which less than \$12,202,104 has been appropriated to the County Jail Operations Fund or disbursements have not been made equal to that amount to the counties as required by Title 34-A, section 1210-D, the following provisions apply:

(1) The receiving jail may charge the sending jail a per diem rate for the transferred prisoner.

(2) The rate charged by the receiving jail must equal the per diem per prisoner amount calculated by the department in making the disbursement to the counties under Title 34-A, section 1210-D, subsection 4; and

(3) The department may charge the sending jail an amount that has been negotiated between the department and the jail that does not exceed \$108 per diem per prisoner.

C. The sending jail shall reimburse the receiving jail or the department for any costs incurred in the provision of extraordinary medical or surgical treatment for conditions of the prisoner that existed prior to transfer.

D. Payment amounts provided for in this subsection may be adjusted or dispensed with upon terms mutually agreeable to the sheriff of the sending jail and the sheriff of the receiving jail or the department.

4. Transferee subject to rules. A prisoner transferred under this section is subject to the general rules of the facility to which the prisoner is transferred, except that for a prisoner who has been sentenced:

A. The term of the original sentence remains the same unless altered by the court.

B. The prisoner becomes eligible for meritorious good time as provided in Title 17-A, section 1253 for a prisoner sentenced to imprisonment in a county jail;

C. The prisoner becomes eligible for release and discharge as provided in Title 17-A, section 1254 for a prisoner sentenced to imprisonment in a county jail;

D. The prisoner is entitled to have the time served in the facility under this section deducted from the sentence; and

E. The prisoner becomes eligible for furloughs, work or other release programs, participation in public works and charitable projects and home-release monitoring as authorized by sections 1556, 1605, 1606 and 1659-A and may apply pursuant to the rules governing the sending jail.

5. Return of prisoner. A prisoner transferred pursuant to this section must be returned to the sending jail upon the request of the sheriff of the sending jail, the sheriff of the receiving jail or the Commissioner of Corrections.

6. Commissioner of Corrections to determine temporary housing assignments. If a county that does not have a jail, has a jail that is not fully certified or has a jail that is unfit for occupation is unable to locate space in any other county facility for an adult or juvenile, the sheriff of that county may contact the Commissioner of Corrections for approval to obtain temporary housing in a correctional or detention facility operated by the Department of Corrections. The sheriff of the sending jail shall contact each other county facility in a continuing effort to locate placement in a county facility. When the sheriff of the sending jail locates available space in a county facility, the sheriff of the sending jail shall transfer the prisoner from the department's correctional or detention facility and place the prisoner in the county facility.

Sec. 17. 30-A MRSA §1558-A is enacted to read:

§1558-A. Transfer from state correctional facilities

A sheriff may accept custody of a prisoner transferred to the sheriff's jail from state correctional facilities under Title 34-A, section 3063-C.

Sec. 18. 30-A MRSA §1659-A, first ¶, as enacted by PL 2009, c. 391, §6, is amended to read:

The sheriff of each county shall establish a program to permit certain inmates to serve a portion of their sentence of imprisonment in community confinement monitored by the county or a contract agency or another county or its contract agency. The county may contract only with a community confinement monitoring agency approved by the ~~State Board~~ **Department** of Corrections.

Sec. 19. 30-A MRSA §1659-A, sub-§2, ¶D, as enacted by PL 2009, c. 391, §6, is amended to read:

D. The inmate has a verified security classification level of "medium" or "minimum" and scores "moderate" or "less" on a validated risk assessment tool as defined by the ~~State Board~~ **Department** of Corrections;

Sec. 20. 30-A MRSA §1659-A, sub-§§6 and 7, as enacted by PL 2009, c. 391, §6, are amended to read:

6. Minimum standards supervision of inmates in the community confinement monitoring program. The ~~State-Board~~ Department of Corrections shall establish minimum policy standards for the monitoring of inmates in the community confinement monitoring program.

7. Program funding. Funds collected pursuant to this section must be forwarded to an account designated by the ~~State-Board~~ Department of Corrections for the purpose of supporting pretrial, diversion or reentry activities. Community confinement monitoring program funds must be accounted for by the county through the normal budget process.

Sec. 21. 30-A MRSA §1661 is enacted to read:

§1661. Collaboration among counties

A county may collaborate with another county or counties to seek grants or establish community corrections programs or initiatives.

Sec. 22. 34-A MRSA §1208-B is enacted to read:

§1208-B. Standards, policies and procedures applicable to jails

I. Establishment. The commissioner shall establish mandatory standards, policies and procedures for jails. The standards, policies and procedures must be established by rule and must be evidence-based and reflect best practices for the administration and operation of jails. The rules must include policies and procedures for assisting jails to achieve compliance and for imposing penalties for noncompliance.

A. The standards, policies and procedures must address record keeping and reporting of financial data, capital improvement planning, jail staffing, administration and management of prisoners, transfer of inmates, notification to prisoners of prohibition on contact with victims and other persons, pretrial assessments and services, evidence-based programming, literacy programs, mental health and substance abuse programs and correctional officer training.

B. In administering and distributing funding to the jails pursuant to section 1210-D, subsection 4, the commissioner shall:

(1) Require reporting of data that indicates average daily population of prisoners, that excludes federal prisoners, that indicates sending and receiving jails for transferred prisoners and that is useful in calculating the distributions to the counties pursuant to section 1201-D, subsection 4; and

(2) Consider the performance of each jail in meeting the standards established pursuant to this section. The commissioner shall work with the jails to assist them in achieving compliance with the standards. The commissioner shall enforce the standards by imposition of monetary penalties upon a county for noncompliance by the county jail or regional jail. A monetary penalty imposed under this subsection may not in any fiscal year exceed the County Jail

Operations Fund distribution payable to a county for a fiscal year pursuant to section 1210-D, subsection 4.

2. Rulemaking. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. Rules adopted pursuant to this section must take effect January 1, 2016.

Sec. 23. 34-A MRS §1210-D is enacted to read:

§1210-D. County Jail Operations Fund

1. County Jail Operations Fund. Notwithstanding any provision of law to the contrary, at least \$12,202,104 in state funding must be appropriated annually and used for the purposes of the County Jail Operations Fund, as established pursuant to this section and referred to in this section as "the fund." The department shall administer the fund and shall distribute funds to the jails in accordance with this section for the purposes set forth in subsections 2 and 3.

2. Community corrections. The fund must be used for the purpose of establishing and maintaining community corrections. For purposes of this subsection, "community corrections" means the delivery of correctional services for adults in the least restrictive manner that ensures the public safety by the county or for the county under contract with a public or private entity. "Community corrections" includes, but is not limited to, preventive or diversionary correctional programs, pretrial release or conditional release programs, alternative sentencing or housing programs, electronic monitoring, residential treatment and halfway house programs, community correctional centers and temporary release programs from a facility for the detention or confinement of persons convicted of crimes. The following provisions apply to community corrections funding.

A. Thirty percent of the funds distributed to the counties under this section must be used for the purpose of community corrections.

B. The county treasurer shall deposit 30% of the funds received under subsection 4 into an account for community corrections purposes.

C. Before distributing to a county that county's entire distribution under this section, the department shall require that county to submit appropriate documentation verifying that the county expended 30% of its prior distribution for the purpose of community corrections.

D. If a county fails to submit appropriate documentation verifying that the county expended 30% of its prior distribution for the purpose of community corrections under paragraph C, the department shall distribute to that county only 80% of its distribution. The department shall hold in escrow the 20% not distributed to a county to give the county jail an opportunity to comply with the requirement that 30% of the total distribution be used for community corrections purposes and qualify for disbursement of the withheld funds.

3. Prisoner support. The fund must be used to provide a portion of the counties' costs of the support of prisoners detained or sentenced to county jails. The following provisions apply to prisoner support funding.

A. Up to 70% of the funds distributed to a county under this section may be used for the purpose of support of prisoners detained or sentenced to county jails and for such other jail operations and correctional services purposes as the sheriff determines to be appropriate.

B. The county treasurer shall deposit 70% of the funds received under subsection 4 into an account for prisoner support, jail operations and correctional services purposes.

4. Formula; distribution. The department shall establish by rule a formula for the distribution of funds from the fund to the counties for jail operations. Beginning July 1, 2015 and annually thereafter, the department shall distribute to the counties from the fund amounts based on the formula. The formula must be based on the most recent fiscal year for which data is available and must:

A. Take into consideration total statewide county jail prisoner days for all jails;

B. Take into consideration and assign to a jail the number of county jail prisoner days attributable to each prisoner who was charged with committing a crime in that county or was committed to the custody of or detained by the sheriff of that county;

C. Determine the proportion of statewide county jail prisoner days attributable to each county;

D. Determine the per diem per prisoner reimbursement amount; and

E. Determine the reimbursement amount for each county based on the county's proportion of statewide county jail prisoner days multiplied by the per diem per prisoner rate.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

5. Surcharge imposed. In addition to the 14% surcharge collected pursuant to Title 4, section 1057, an additional 1% surcharge must be added to every fine, forfeiture or penalty imposed by any court in this State, which, for the purposes of collection and collection procedures, is considered a part of the fine, forfeiture or penalty. All funds collected pursuant to this subsection are nonlapsing and must be deposited monthly in the fund.

Sec. 24. 34-A MRSA §1402, sub-§§12 and 13 are enacted to read:

12. County and regional jails. The commissioner shall receive, administer and distribute to the county and regional jails funding provided through the General Fund, Other Special Revenue Funds and any federal and grant funds in accordance with section 1210-D and Title 30-A, section 1659-A. The department shall make distributions as required by section 1210-D to each jail on a quarterly basis and as may be adjusted pursuant to section 1208-B, subsection 1, paragraph B.

13. Report on jails. Beginning January 15, 2016 and annually thereafter, the department, in collaboration with a statewide association of sheriffs and a statewide association of county commissioners, shall submit a report to the joint standing

committee of the Legislature having jurisdiction over criminal justice and public safety matters on the mandatory standards, policies and procedures for jails adopted pursuant to section 1208-B and the status of funding for the jails from the County Jail Operations Fund established in section 1210-D, county taxes and other sources. The department and representatives of the associations shall conduct a review of the funding provided to county jails pursuant to subsection 12 and section 1210-D and the distribution formula established by the department pursuant to section 1210-D, subsection 4. If the department and the associations find that changes are needed to the distribution method or procedures or the level of General Fund support, the department shall report that finding to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters and shall recommend changes in the formula determined pursuant to section 1210-D, subsection 4 and the level of General Fund support. After reviewing the report, the joint standing committee is authorized to submit legislation to address issues raised by the report and to improve the funding and operation of the jails.

Sec. 25. 34-A MRSA §1404, as amended by PL 2013, c. 598, §7, is repealed.

Sec. 26. 34-A MRSA §1405, as amended by PL 2009, c. 142, §15 and c. 391, §10, is repealed.

Sec. 27. 34-A MRSA c. 1, sub-c. 5, as amended, is repealed.

Sec. 28. 34-A MRSA §3063-B and 3063-C are enacted to read:

§3063-B. Transfer from jails

The commissioner may accept custody of prisoners transferred to the department from county jails under Title 30-A, section 1557-B.

§3063-C. Transfer to jails

1. Transfer of prisoner. The commissioner may transfer a prisoner serving a sentence in a correctional facility to a county jail, upon the request of the chief administrative officer and the approval of the sheriff of the jail.

2. Cost of transfer. The department shall pay the cost of the transfer or the return of the prisoner.

3. Reimbursement. By agreement between the commissioner and the sheriff of the receiving jail pursuant to this section, the department shall pay directly to the jail reimbursement in accordance with this subsection.

A. During a state fiscal year in which at least \$12,202,104 has been appropriated to the County Jail Operations Fund and disbursements have been made equal to the amount appropriated to the counties as required by section 1210-D, the receiving jail may charge the department for the transferred prisoner a rate to be negotiated between the sheriff of the jail and the department that is no higher than \$25 per diem per prisoner.

B. During a state fiscal year in which less than \$12,202,104 has been appropriated to the County Jail Operations Fund or disbursements have not been made equal to that amount to the counties as required by section 1210-D, the receiving jail may charge the department for the transferred prisoner a rate to be negotiated between the sheriff of the county jail and the department that is no higher than \$108 per diem per prisoner.

C. The department shall reimburse the receiving jail for any costs incurred in the provision of extraordinary medical or surgical treatment for conditions of the prisoner that existed prior to transfer.

D. Payment amounts provided for in this section may be adjusted or dispensed with upon terms mutually agreeable to the commissioner and the sheriff of the receiving jail.

4. Transferee subject to rules. A prisoner transferred under this section is subject to the general rules of the facility to which the prisoner is transferred, except that for a prisoner who has been sentenced:

A. The term of the original sentence remains the same unless altered by the court;

B. The prisoner becomes eligible for meritorious good time or deductions as provided in Title 17-A, section 1253 for a prisoner committed to the department;

C. The prisoner becomes eligible for release and discharge as provided in Title 17-A, section 1254 for a prisoner committed to the department;

D. The prisoner is entitled to have the time served in the jail under this section deducted from the sentence; and

E. The prisoner becomes eligible for furloughs, work or other release programs, and supervised community confinement as authorized by sections 3035 and 3036-A and may apply pursuant to the rules governing the correctional facility from which the prisoner was transferred.

5. Return of prisoner. A prisoner transferred pursuant to this section must be returned to the department upon the request of the commissioner or the sheriff.

Sec. 29. Balances. Notwithstanding any other provision of law, any balance remaining in the General Fund State Board of Corrections Operational Support Fund on June 30, 2015 may not lapse, but must be carried forward to the Department of Corrections, County Jail Operations Fund General Fund account to provide funds to county and multicounty jails.

Sec. 30. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

County Jail Operations Fund N220

Initiative: Transfers funds from the State Board of Corrections to the Department of Corrections.

GENERAL FUND	2015-16	2016-17
All Other	\$12,202,104	\$12,202,104
GENERAL FUND TOTAL	<u>\$12,202,104</u>	<u>\$12,202,104</u>

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$225,881	\$228,505
All Other	\$565,503	\$565,503
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$791,384</u>	<u>\$794,008</u>

CORRECTIONS, DEPARTMENT OF DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$12,202,104	\$12,202,104
OTHER SPECIAL REVENUE FUNDS	\$791,384	\$794,008
DEPARTMENT TOTAL - ALL FUNDS	<u>\$12,993,488</u>	<u>\$12,996,112</u>

CORRECTIONS, STATE BOARD OF

State Board of Corrections Operational Support Fund Z087

Initiative: Transfers funds from the State Board of Corrections to the Department of Corrections.

GENERAL FUND	2015-16	2016-17
All Other	(\$12,202,104)	(\$12,202,104)
GENERAL FUND TOTAL	<u>(\$12,202,104)</u>	<u>(\$12,202,104)</u>

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$225,881)	(\$228,505)
All Other	(\$565,503)	(\$565,503)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$791,384)</u>	<u>(\$794,008)</u>

**CORRECTIONS, STATE BOARD OF
DEPARTMENT TOTALS**

	2015-16	2016-17
GENERAL FUND	(\$12,202,104)	(\$12,202,104)
OTHER SPECIAL REVENUE FUNDS	(\$791,384)	(\$794,008)
DEPARTMENT TOTAL - ALL FUNDS	<u>(\$12,993,488)</u>	<u>(\$12,996,112)</u>

SECTION TOTALS

	2015-16	2016-17
GENERAL FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
SECTION TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$0</u>

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

**127th MAINE LEGISLATURE****LD 186****LR 378(09)****An Act To Reverse Jail Consolidation****Fiscal Note for Bill as Engrossed with:****C "A" (S-304)****S "B" (S-341) to C "A" (S-304)****Committee: Criminal Justice and Public Safety**

Fiscal Note

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
Net Cost (Savings)				
General Fund	\$0	\$0	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	\$0	\$0	\$0
Other Special Revenue Funds	\$0	\$0	\$0	\$0

Fiscal Detail and Notes

The bill moves General Fund appropriations of \$12,202,104 from the State Board of Corrections to the Department of Corrections in fiscal years 2015-16 and again in fiscal year 2016-17 and moves Other Special Revenue Funds allocations from the State Board of Corrections to the Department of Corrections of \$791,384 in fiscal year 2015-16 and \$794,008 in fiscal year 2016-17. It also provides that any remaining General Fund balance in the State Board of Corrections account on June 30, 2015 does not lapse, but is carried forward for use by the Department of Corrections, County Jail Operations Fund.

Purpose, Role and Characteristics of Jails

Excerpted from:
National Institute of Corrections
U.S. Department of Justice
Sheriff's Guide to Effective Jail Operations

Purpose of the Jail

The jail is integral to local government's public safety function and is an essential element of the local criminal justice system. It serves five basic purposes:

- To receive and process people arrested and taken into custody by law enforcement.
- To hold accused law violators to ensure their appearance at trial.
- To hold offenders convicted of lesser offenses, usually misdemeanors and low-level felonies, as a court-ordered sanction.
- To hold individuals remanded by the court for civil contempt.
- To hold offenders for other jurisdictions or those awaiting transfer to prison or other facilities.

To meet these objectives, jails are typically organized around two basic functions:

- Booking and intake
- Custody

The booking and intake function of the jail serves a vital public safety function by providing a place where individuals taken into custody can be safely processed and assessed to determine the risks they present. Individuals who are not released shortly after intake or following their initial court hearing generally are those charged with serious offenses, who represent a public safety risk; those likely to flee the jurisdiction before their cases can be adjudicated; and those unable to make bond or otherwise secure pretrial release. Pretrial inmates constitute more than half of the jail's population. The purpose of pretrial incarceration is not to punish, but to protect the public and/or ensure court appearance. In its custody function, the jail houses this pretrial population along with inmates sentenced to the jail. As a sanctioning option, the jail provides a means of holding convicted offenders accountable for their illegal acts. A central goal of incarceration as punishment in our system of justice is to discourage offenders from committing future criminal acts and to send a message to would-be offenders about the possible consequences of illegal behavior. Rehabilitation and reintegration have become significant goals of incarceration, and within the constraints of available resources, many local jails provide inmates with opportunities for self-help and change to deter future criminal behavior.

The Role of the Jail in the Local Criminal Justice System

The jail is a critical component of the local criminal justice system. It is used to address the need for detention at various points in the criminal justice process. Jails typically serve multiple law enforcement agencies in the community, including local law enforcement, the state police, conservation officers, and federal authorities. Jails also serve prosecutors, the courts, and probation and parole agencies. The jail serves these entities by holding the following groups in custody:

- New arrestees pending arraignment, trial, conviction, and sentencing.
- Offenders sentenced to jail time.
- Persons accused of probation, parole, or bail-bond violations pending revocation proceedings.
- Offenders sentenced as a sanction for probation or parole violations.
- Convicted offenders awaiting transfer to state or federal institutions.
- Illegal immigrants pending transfer to federal authorities.
- Offenders in the armed services awaiting transfer to military authorities.
- Offenders held for violations of court-ordered conditions such as failure to pay fines, contempt, failure to appear in court, violations of restraining orders, and failure to attend counseling.
- Juveniles charged as adults or pending transfer to juvenile authorities.
- Detainees held under contract for other local, state, or federal jurisdictions.
- Offenders held for state or federal authorities under a contractual arrangement with the local jurisdiction.

As evidenced by the list above, the jail responds to many needs in the criminal justice system and plays an integral role within that system. These needs are dynamic and influenced by the policies, practices, and philosophies of the various users of the jail.

Characteristics of the Jail Population

The jail serves a tremendously diverse population. Unlike prisons, where inmates generally are of the same gender, legal status, and custody level, jails are expected to manage a broad cross section of people. At any given time, the jail population may include males and females, juveniles and adults, the dangerous and the vulnerable, the minor offender and the serious offender, the physically fragile and the mentally ill, and the chemically addicted.

Inmates come to jail with varying degrees of medical, mental health, substance abuse, family, financial, and literacy issues. While in jail, they may display a wide range of emotions, including fear, anger, and anxiety, as well as violent, antisocial, and suicidal behaviors. The jail has a responsibility to appropriately house inmates and manage the behavior of this diverse population while they are in custody.

The jail has little control over the number or types of inmates it holds or how long they stay. Rather, the various criminal justice agencies the jail serves—law enforcement, prosecutors, courts, probation, etc.—and the efficiency of case processing will largely determine who comes to jail and how long they stay. Laws establishing the role and function of the jail, criminal penalties for law violations, the incidence of crime, and public attitudes about crime also influence the use of the jail.

MEMO

TO: LDC

FROM: NEWELL GRAF, SOMERSET COUNTY COMMISSIONER

DATE: 09/19/16

RE: PROPOSED LEGISLATION (1)VIDEO CONFERENCING (2) BLOOD DRAW

Proposed legislation – Newell Graf- MCCA – Legislative Development Committee—September 2016

Title 15 §9 Hearings Using Audio or Video Equipment

The use of telephone, audio, or video conference equipment is encouraged (or mandated) for all proceedings before the Court. A party may request this use or the Court may act upon its own initiative.



Bernstein, Shur,
Sawyer & Nelson, P.A.
100 Middle Street
PO Box 9729
Portland, ME 04104-5029

T (207) 774-1200
F (207) 774-1127

Memorandum

To: Dawn DiBlasi, Somerset County Administrator
From: Katherine R. Knox
Date: September 15, 2016
Re: Draft Legislation – Blood Testing

As outlined in our conversation last week, you asked us to provide some draft legislative language that would both require medical professionals to administer blood tests when requested by law enforcement officials and provide protection for medical professionals who administer tests from having to automatically appear in court to authenticate the test results during subsequent court proceedings.

Evidence Admissibility

As you may know, the legislature authorized the court system to promulgate the rules of evidence in 1974. That delegated authority from the legislature allows the courts to be the sole arbiters of any changes to the rules of evidence – including the rules related to hearsay and the admission of evidence.

Despite that broad delegation, and the legislature's traditional deference to the courts expertise, statutes can always be amended to provide for a more lenient standard than used in the rules.

The statute, as currently drafted, provides that test results are admitted as prime facie evidence if the person performing the test submits a sworn statement to that effect. We are assuming, based on your concerns, that testers are reluctant to even issue certificates. The proposed language below eliminates the certificate requirement and simply makes the test results prima facie evidence without further steps. This change will likely elicit strong objections from defense counsel so it would be worth further discussion to ascertain why the certificate system isn't working. Finally, we would advise before submitting this language that discussions be held with the courts lobbyist (Mary Anne Lynch) to determine if they will object to the language below and/or if they prefer a change be made through the

amending of the rules themselves. While you are not bound to defer to the courts preference on this, the legislature will take their concerns seriously – so it is always worth the time to consult with them before submission of any bill language.

Mandated Test Administration

We have also drafted the language to require that any trained professional who is asked to perform the test be required to do so. It is important to flag that this mandate would be a significant change in health care law. Currently, doctors in particular are not mandated to perform *ANY* treatment – even in life threatening situations. Federal law does require that hospital emergency rooms assess and stabilize and patient – but it does not require any individual physician to participate in that care.

This issue of doctors refusing to administer blood tests arose several years ago when one of the large health systems in Southern Maine was instructed by their legal department to not participate in requested blood draws. Their concern related to issues of patient consent and coercion. After law enforcement experienced frustration with the refusals, an informal group was put together to discuss the issue. The Maine Medical Association was a participant in the group and they report that after a few meetings, it was generally agreed that each law enforcement group would contract with an on-call phlebotomist – who would be available on request to do blood tests.

Whether or not you decide to move forward with a legislative fix, we suggest discussion again take place with the Maine Medical Association and Maine Health systems. Finally, we want to reiterate that this change would be adamantly and staunchly opposed by the medical community.

Below please find our suggested language:

Title 29-A/Motor Vehicles and Traffic

§2431. Evidentiary rules

1. Test results. Test results showing a confirmed positive drug or metabolite presence in blood or urine or alcohol level at the time alleged are admissible as prima facie evidence of the level of intoxication. Failure to comply with the provisions of sections 2521 and 2523 may not, by itself, result in the exclusion of evidence of alcohol level or confirmed positive drug or metabolite presence, unless the evidence is determined to be not sufficiently reliable.

~~**2. Analysis of blood, breath and urine.** The following provisions apply to the analysis of blood, breath and urine, and the use of that analysis as evidence:~~

~~**A.** A person certified in accordance with section 2521 conducting a chemical analysis of blood, breath or urine to determine an alcohol level or the presence of a drug or drug metabolite may issue a certificate stating the results of the analysis.~~

~~B. A person qualified to operate a self-contained breath-alcohol testing apparatus may issue a certificate stating the results of the analysis.~~

~~C. A certificate issued in accordance with paragraph A or B, when duly signed and sworn, is prima facie evidence that:~~

- ~~(1) The person taking the specimen was authorized to do so;~~
- ~~(2) Materials used in the taking of the specimen were of a quality appropriate for the purpose of producing reliable test results as determined by the Department of Health and Human Services;~~
- ~~(3) Materials required to be approved by the Department of Health and Human Services were in fact approved;~~
- ~~(4) The sample tested was in fact the same sample taken from the defendant; and~~
- ~~(5) The alcohol level or the presence of a drug or drug metabolite in the blood or urine of the defendant at the time the sample was taken was as stated in the certificate.~~

~~D. With 10 days written notice to the prosecution, the defendant may request that a qualified witness testify to the matters of which the test certificate constitutes prima facie evidence. The notice must specify those matters concerning which the defendant requests testimony. The certificate is not prima facie evidence of those matters. (1993, c. 683, Pt. A, § 2 (NEW); 1993, c. 683, Pt. B, § 5 (AFF).)~~

~~E. A person drawing a specimen of blood may issue a certificate that states that the person is in fact qualified under section 2524 and that the proper procedure for drawing a specimen of blood was followed. That certificate, when signed and sworn to by the person, is prima facie evidence of its contents unless, with 10 days' written notice to the prosecution, the defendant requests that the person testify. (2013, c. 459, § 2 (AMD).)~~

~~F. Evidence that the urine sample was in a sealed carton bearing the Department of Health and Human Services' stamp of approval is prima facie evidence that the equipment was approved by the Department of Health and Human Services. (2013, c. 459, § 3 (AMD).)~~

~~G. The results of a self-contained breath-alcohol apparatus test is prima facie evidence of an alcohol level. (2009, c. 447, § 47 (AMD).)~~

~~H. Evidence that the self-contained breath-alcohol testing equipment bearing the Department of Health and Human Services' stamp of approval is prima facie evidence that the equipment was approved by the Department of Health and Human Services. (1993, c. 683, Pt. A, § 2 (NEW); 1993, c. 683, Pt. B, § 5 (AFF); 2003, c. 689, Pt. B, § 6 (REV).)~~

~~I. Evidence that materials used in operating or checking the operation of the self-contained breath-alcohol testing equipment bore a statement of the manufacturer or of the Department of Health and Human Services is prima facie evidence that the materials were of the composition and quality stated. (1993, c. 683, Pt. A, § 2 (NEW); 1993, c. 683, Pt. B, § 5 (AFF); 2003, c. 689, Pt. B, § 6 (REV).)~~

~~J. Transfer of sample specimens to and from a laboratory for purposes of analysis by certified or registered mail complies with all requirements regarding the continuity of custody of physical evidence. (1993, c. 683, Pt. A, § 2 (NEW); 1993, c. 683, Pt. B, § 5 (AFF).)~~

~~K. The prosecution is not required to produce expert testimony regarding the functioning of self-contained breath-alcohol testing apparatus before test results are~~

admissible, if sufficient evidence is offered to satisfy paragraphs II and I. [2001, c. 361, §32 (AMD).]

§2432. Alcohol level; confirmed positive drug or metabolite test results; evidentiary weight

4. Confirmed presence of drug or drug metabolite. If a person has a trace amount of any drug or the metabolites of any drug within the person's blood or urine in accordance with the drug reporting rules, standards, procedures and protocols adopted by the Department of Health and Human Services, it is ~~admissible evidence, but not prima facie evidence, indicating whether that person is under the influence of intoxicants, to be considered with other competent evidence, including evidence of alcohol level.~~

§2524. Administration of tests

1. Persons qualified to draw blood for blood tests. Only a physician, registered physician's assistant, registered nurse or person whose occupational license or training allows that person to draw blood samples may draw a specimen of blood for the purpose of determining the blood-alcohol level or the presence of a drug or drug metabolite. ~~Qualified personnel may not refuse to perform a blood test when that test is requested by a law enforcement officer.~~

§2525. Drug impairment assessment

2. Admissibility of evidence. If a law enforcement officer certified as a drug recognition expert by the Maine Criminal Justice Academy conducts a drug impairment assessment, the officer's testimony about that assessment is admissible in court as evidence of operating under the influence of intoxicants. Test results showing a confirmed positive drug or metabolite in the blood or urine are admissible as prima facie evidence of operating under the influence of intoxicants. Failure to comply with any provision of this section does not, by itself, result in the exclusion of evidence of test results, unless the evidence is determined to be not sufficiently reliable.

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MMA's 2016 – 2018 Legislative Policy Committee

LPC/Senate District 1:

Donald Guimond
Manager – Fort Kent

LPC/Senate District 1:

Vince Frallicciardi
Selectman – Madawaska

LPC/Senate District 2:

Martin Puckett
Manager – Presque Isle

LPC/Senate District 2:

Paige Coville
Chair of Selectboard – Island Falls

LPC/Senate District 3:

Matthew Pineo
Manager – Jackman

LPC/Senate District 3:

Tim Curtis
Manager – Madison

LPC/Senate District 4:

David Pearson
Chair of Appeals Board – Dexter

LPC/Senate District 4:

Jack Clukey
Manager – Dover-Foxcroft

LPC/Senate District 5:

Thomas Perry
Councilor – Orono

LPC/Senate District 5:

Charles Pray
Councilor – Millinocket

LPC/Senate District 6:

Harry Fish, Jr.
Selectman – Jonesport

LPC/Senate District 6:

Lewis Pinkham
Manager/Police Chief – Milbridge

LPC/Senate District 7:

Gary Fortier
Councilor – Ellsworth

LPC/Senate District 7:

James Schatz
Chair of Selectmen – Blue Hill

LPC/Senate District 8:

Susan Lessard
Manager – Bucksport

LPC/Senate District 8:

James Smith
Assistant Manager – Brewer

LPC/Senate District 9:

*Bangor appoints 1 member
Nelson Durgin, Councilor – Bangor

LPC/Senate District 9:

Roger Raymond
Manager – Hermon

LPC/Senate District 10:

Michael Crooker
Manager – Glenburn

LPC/Senate District 10:

Serena Bemis-Goodall
Manager – Corinna

LPC/Senate District 11:

Kathy Littlefield
Chair of Selectboard – Waldo

LPC/Senate District 11:

Galen Larrabee
Chair of Selectboard – Knox

LPC/Senate District 12:

William Chapman
Chair of Selectboard – Rockport

LPC/Senate District 12:

Jay Feyler
Manager – Union

LPC/Senate District 13:
Jonathan Duke
Administrator – Newcastle

LPC/Senate District 13:
Harry Lowd
Selectman – Bristol

LPC/Senate District 14:
Peter Nielsen
Manager – Winthrop

LPC/Senate District 14:
Curtis Lunt, Manager – Monmouth
Scott Morelli, Manager – Gardiner

LPC/Senate District 15:
Kelly Couture
Selectman – Sidney

LPC/Senate District 15:
*Augusta appoints 1 member
Anna Blodgett, Councilor – Augusta

LPC/Senate District 16:
*Waterville appoints 1 member
John O'Donnell, Councilor – Waterville

LPC/Senate District 16:
Aaron Rowden
Councilor – Fairfield

LPC/Senate District 17:
Richard Davis
Manager – Farmington

LPC/Senate District 17:
Ruth Cushman
Selectperson – Wilton

LPC/Senate District 18:
Arthur Harvey
Planning Board Member – Hartford

LPC/Senate District 18:
Amy Bernard
Manager – Newry

LPC/Senate District 19:
Derik Goodine
Manager – Oxford

LPC/Senate District 19:
Lenny Adler
Selectman – Otisfield

LPC/Senate District 20:
*Auburn appoints 1 member
Robert Stone, Councilor – Auburn

LPC/Senate District 20:
Stanley Tetenman
Selectman – Poland

LPC/Senate District 21:
*Lewiston appoints both members
Robert Macdonald, Mayor – Lewiston
Ed Barrett, Administrator – Lewiston

LPC/Senate District 22:
Aaron Chrostowsky
Manager – Wayne

LPC/Senate District 22:
Kasie Kolbe
Councilor – Lisbon

LPC/Senate District 23:
William Post
Manager – Bowdoinham

LPC/Senate District 23:
William "Bill" Giroux
Manager – Bath

LPC/Senate District 24:
Kristi Eiane
Administrator – Harpswell

LPC/Senate District 24:
*Brunswick appoints 1 member
Katherine Wilson, Councilor – Brunswick

LPC/Senate District 25:
Claudia King
Councilor – Falmouth

LPC/Senate District 25:
Steve Moriarty
Planning Board Member – Cumberland

LPC/Senate District 26:

David Nadeau
Councilor – Windham

LPC/Senate District 26:

Lou Stack
Assessment Review Bd. Mbr. – Standish

LPC/Senate District 27:

*Portland appoints both members
Jill Duson, Councilor – Portland
Justin Costa, Councilor – Portland

LPC/Senate District 28:

*Portland appoints 1 member
Ed Suslovic, Councilor – Portland

LPC/Senate District 28:

Jon Jennings, Manager – Portland

LPC/Senate District 29:

*South Portland appoints 1 member
Joshua Reny, Asst. Manager, So. Portland

LPC/Senate District 29:

*Cape Elizabeth appoints 1 member
Jessica Sullivan, Councilor – Cape Elizabeth

LPC/Senate District 30:

Shawn Babine
Councilor – Scarborough

LPC/Senate District 30:

David Cole
Manager – Gorham

LPC/Senate District 31:

Larry Mead
Manager – Old Orchard Beach

LPC/Senate District 31:

Kevin Sutherland
Administrator – Saco

LPC/Senate District 32:

*Biddeford appoints 1 member
John McCurry, Jr., Council Chair – Biddeford

LPC/Senate District 32:

James Bennett
Manager – Biddeford

LPC/Senate District 33:

*Sanford appoints 1 member
Steven Buck, Manager – Sanford

LPC/Senate District 33:

Gary Lamb
Administrator – Waterboro

LPC/Senate District 34:

Larissa Crockett
Chair, Warrant & Finance Comm. – Acton

LPC/Senate District 34:

Richard Morin
Selectman – Kennebunk

LPC/Senate District 35:

Perry Ellsworth
Manager – South Berwick

LPC/Senate District 35:

(vacant)

LPC Chair:

(Until 12/16)

Laurie Smith
Manager – Kennebunkport

(2017)

Linda Cohen
Councilor – South Portland

M.C.C.A.

Peter Baldacci, President
Penobscot County

Thomas Coward, Vice President
Cumberland County

Michael Cote, Secretary-Treasurer
York County

Rosemary Kulow
Executive Director

Lauren Haven
Office Manager



Maine County Commissioners Association

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207-623-4697
www.mainecounties.org

Executive Director's Report September 26, 2016

Issues & Activities:

MCCA Budget Process

I am developing a budget proposal for 2017 within parameters defined by the Budget and Finance Committee, and the committee will submit a proposed 2017 budget to the full board at the December meeting.

NACo's Nationwide Deferred Compensation Program

Representatives from Nationwide, the NACo sponsored company that provides retirement programs to counties around the country, will attend the November Board of Directors' meeting to explain their deferred compensation products and programs.

NCCAE Executive Directors Information Exchange

State association executives often poll each other to learn how other states deal or have dealt with issues facing state associations and counties. Recent current information requests and research have included how different states deal with freedom of and access to public information, contributions from risk management pools to state associations, and the proposed Marketplace Fairness Act.

Ongoing Financial Management

MCCA staff manages MCCA finances continuously, and we present reports to the Board monthly. The auditors have received the information they requested, but they have yet to visit the MCCA office to observe our work environment, procedures, or onsite records.

Other Meetings/Events since the August 10, 2016 Board of Directors' Meeting

- Aug. 11 **MTCMA New England Management Institute at Sunday River**
This is MTCMA's annual meeting that provides education, networking, and recreation for Maine and other New England states' town, city, and county managers and administrators that I attended the second day. I was not able to attend the first day due to MCCA meetings. The session I attended discussed internships and the changing workplace due to technology.
- Aug. 12 **Convention Planning Committee Meeting via Conference Call**
The meeting was held in Bangor, and I participated via conference call due to an early morning medical appointment in Gray.
- Aug. 15 **LDC Meeting at MCCA in Augusta**
MCCA's Legislation Development Committee met at the MCCA office to discuss issues associated with jails and other legislation. The committee's recommendations for legislation will be presented to and discussed by the Board of Directors in September and October.
- Aug. 17 **Aroostook County Commissioners' Meeting in Houlton**
The Commissioners changed their meeting schedule for this meeting, so the meeting began right after lunch, rather than at the end of the work day. They welcomed me warmly and had a very productive meeting, which included discussion of MCCA issues.
- Aug. 24 **NACo Northeast Region Conference Call**
Each month on the 4th Wednesday of the month, representatives from the northeast NACo region join in a conference call to receive updates about national legislative bills and initiatives, as well as to hear what counties in other states are doing. The Honorable Commissioner from Berks County, Pennsylvania, Christian Leinbach, is the president of the group and chairs the meetings. Attached is a sample agenda for one of the meetings.
- Aug. 29 **NCCAE Leadership Development Webinar re: Integrity & Civility**
One of my professional organizations, the National Council of County Association Executives (NCCAE), provides continuing education through webinars and sessions at conferences. This one on Integrity and Civility is a multi-part program held on a few different days.
- Aug. 31 **Budget & Finance Committee Meeting via Conference Call**
To kick off the MCCA budget process, we held a conference call meeting of members of the Budget and Finance Committee to discuss parameters for the 2017 budget. I am in the process of evaluating the association's current financial status and developing estimates for next year for a draft proposal that will be reviewed by the committee prior to its submission to the full Board of Directors in November or December.

- Sept. 1 **U.S. Communities Webinar for Program Sponsors**
The joint purchasing group known as U.S. Communities held a webinar to share recent news for program sponsors. All participants and state associations are invited to join their webinars to learn the latest news and developments.
- Sept. 7 **Met with Nationwide Representatives regarding Deferred Compensation Programs**
Initiated by contacts I made at the annual NACo conference, three Nationwide representatives came to Maine to discuss the deferred compensation programs Nationwide offers to county governments and state associations. The representatives will be coming to the November MCCA Board of Directors' meeting to fully explain their products and how MCCA's sponsorship will generate non-dues revenue for MCCA from Nationwide. Nationwide is ready to make its products available to county governments in Maine and prepared to discuss all the particulars with MCCA and counties. Deferred compensation retirement programs may be set up to accept contributions from the employer and employee or from the employee alone.
- Sept. 8 **Washington County Commissioners' Meeting in Machias**
This meeting included a public hearing on the proposed 2017 budget, as well as general business of the board. One commissioner was absent, but I urged as many from Washington County who could, to attend the annual MCCA convention in Bangor Sept. 30-Oct. 2.
- Sept. 16 **Convention Planning Committee Meeting in Bangor**
The final face-to-face meeting of the committee before the convention was held at the courthouse in Bangor to finalize convention planning details.
- Sept. 19 **Legislation Development Committee Meeting at MCCA in Augusta**
The LDC met at the MCCA office to finalize its recommendations for legislation that will be presented to the Board of Directors during the Convention.
- Sept. 20 **Oxford County Commissioners' Meeting in South Paris**
During this meeting I was invited to sit with Commissioners and department heads as they gave their reports to the Board. I reported on MCCA's activities and initiatives during this time and was very impressed with the team responsible for Oxford County government.
- Sept. 21 **OpenGov's Webinar – The Changing Face of Digital Government**
During the webinar on September 21st, Stephen Goldsmith, former Mayor of Indianapolis and current Professor at the Harvard Kennedy School of Government, joined OpenGov co-founder and CEA Zac Bookman and co-founder Nate Levine to discuss the challenges governments face in the digital age and how OpenGov helps solve them.
- Sept. 23 **Senator King's Senior Health & Housing Task Force Meeting in South Portland**
Senator King's staff invited me to attend this forum on Senior Health and Housing because they thought the information would be of interest to Maine counties and me. Senator King presented the keynote address and spoke further with folks at lunch.

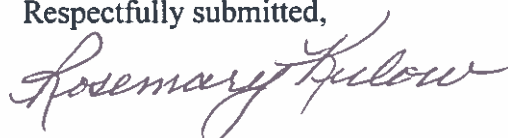
- Sept. 28 **NACo Northeast Region Conference Call**
The monthly conference call for the northeastern region of NACo
- NCCAE Leadership Development Webinar, Integrity & Civility as a Practice**
Session 2 of the Integrity and Civility as a Practice webinar
- Sept. 29 **Set up for convention at Hilton Garden Inn, Bangor, Penobscot County.**

Upcoming Planned Meetings/Events (as of this writing):

- Sept 29-Oct 2 **MCCA Board Meetings & Annual Convention in Bangor, Penobscot County**
See the MCCA website for details about the annual MCCA convention.
- Sept. 30 **MCCA Annual Conference & Board of Directors' Meetings**
MCCA Risk Management Pool Board of Directors meeting at 9:00 a.m.; MCCA Board of Directors' meeting at 10:00 a.m. at the Hilton Garden Inn, Bangor
- Oct. 4 **Hancock County Commissioners' Meeting in Ellsworth**
- Oct. 5-6 **MMA Convention in Bangor**
Highlights of this year's Maine Municipal Association convention in Bangor at the Cross Insurance Center include: keynote by David Eaves on The 'Open' Revolution; The Future of the University of Maine System, by Dr. James H. Page, Chancellor; An Active Shooter in Your Community, by Michael Clumpner, featured speaker. Other and concurrent sessions I plan to attend include the following: Medical marijuana in the Workplace; Awards Luncheon; Making Good Employee Leave Decisions; Setting MMA's 2017 Legislative Priorities; Eaton Peabody Bus Tour of Bangor; Lewiston-Auburn Merger: What Lies Ahead?; Networking Luncheon Thursday; Municipal Impact of New Overtime Rules; and Demonstrating the 2016 Municipal Salary Survey.
- Oct. 11 **Sagadahoc County Commissioners' Meeting in Bath**
- Oct. 12 **MCCA Board of Directors' Meetings in Augusta**

As always, if you have any questions or comments about my activities or reports, please don't hesitate to let me know.

Respectfully submitted,



Rosemary Kulow
Executive Director



Rosemary Kulow <rkulow@mainecounties.org>

Here from New York's Steve Acquario - NACo NE Conf. Call

1 message

Leinbach, Christian Y <CLEinbach@countyofberks.com>

Fri, Aug 19, 2016 at 9:08 AM

Dear Northeast US NACo Member and County Leader:

Thank you for your leadership in county Government. This coming Wednesday (8/24/16) we will be having our monthly call-in with you and our team at NACo. If you have an item you would like to have discussed or need more information about please let me know and I will work with NACo to see if we can have the appropriate person join us on the call. **I am including the AGENDA below.**

PLEASE REMEMBER TO MUTE YOUR PHONE WHEN NOT SPEAKING. Your colleagues will appreciate the consideration.

NACo Northeast Regional Conference Call*Wednesday, August 24th, 2016**8:00am EST***Dial-In: 1-719-359-9722****Dial-In (toll free): 1-888-757-2790****Guest Passcode: 299194****Conference Call Objectives**

- Regular update from your NACo Regional Representative
- NACo Staff update on critical issues legislatively and organizationally
- Address issues of concern to you

AGENDA**Welcome and Introductions**

- **Hon. Christian Leinbach** – Chairman, Berks County Commissioners (PA) /

General Legislative/NACo Update

- **Deborah Cox** - NACo Legislative Director / Legislative Director

State Update From New York / Stephen Acquario – Executive Director, New York Association of Counties

- Will present an update on a key issue or issues impacting counties in New York. May be a challenge or a success story

Discussion General:

- Other
- Discuss next State Report
- Next Conference Call will be Sept. 28th at 8AM

Christian Y. Leinbach

Chairman - Berks County Commissioners

633 Court Street

Reading, PA 19601-4310

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Email Cleinbach@CountyofBerks.com

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MAINE COUNTY COMMISSIONERS ASSOCIATION

August 2016 Financial Report

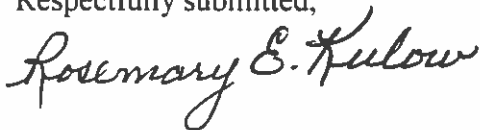
Attached please find the monthly financial reports for the month of August 2016. The Balance Sheet shows total assets, including the money market account for MainePERS, and liabilities at \$199,021.25. Debits to the bank account in August totaled \$16,718.21, and \$16,492.67 income was deposited in the checking account. Convention sponsor, exhibitor, and attendee registration revenue is coming in regularly now. The bank balance on August 31st was \$161,371.80, as some transactions had not yet cleared the bank by the end of the month.

With 67% of the year complete, \$185,099 (73%) of the \$252,150 budgeted revenue had been received by August 31st. On the expenditure side, \$17,986 (7% of the total budget) was expended in August, and a total of \$137,096 (54%) had been expended year-to-date.

Additional details of financial transactions appear in the *Profit & Loss Budget vs. Actual* report. Finances are within budget, and there are no problems at this time.

Please don't hesitate to let me know if you have any questions or would like to see anything different in the financial reports.

Respectfully submitted,



Rosemary E. Kulow
Executive Director

Accepted by:

Date: _____

Peter Baldacci, President

Thomas Coward, Vice-President

Michael Cote, Secretary-Treasurer

Maine County Commissioners Association
Balance Sheet (accrual)
As of August 31, 2016

	<u>August 2016</u>
ASSETS	
Current Assets	
Checking/Savings	
MCCA Checking-Savings Bank	159,874.63
Money Market Account	38,766.62
Petty Cash Account	200.00
Total Checking/Savings	<u>198,841.25</u>
Accounts Receivable	
Receivables	180.00
Total Accounts Receivable	<u>180.00</u>
Total Current Assets	<u>199,021.25</u>
TOTAL ASSETS	<u><u>199,021.25</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	-725.28
Total Accounts Payable	<u>-725.28</u>
Other Current Liabilities	
1000-00 · Employee Health Insurance Contr	-730.57
1001-00 · MainePERS Employee Contribution	478.11
Total Other Current Liabilities	<u>-252.46</u>
Total Current Liabilities	<u>-977.74</u>
Total Liabilities	-977.74
Equity	
3200-00 · Fund Balance to Current Yr Inc	-59,216.00
3900-00 · Earnings	211,209.23
Net Income	48,005.76
Total Equity	<u>199,998.99</u>
TOTAL LIABILITIES & EQUITY	<u><u>199,021.25</u></u>

Maine County Commissioners Association
Reconciliation Summary
MCCA Checking-Savings Bank, Period Ending 08/31/2016

	<u>August 2016</u>
Beginning Balance	161,597.34
Cleared Transactions	
Checks and Payments - 16 Items	-16,718.21
Deposits and Credits - 20 Items	16,492.67
Total Cleared Transactions	<u>-225.54</u>
 Cleared Balance	 <u><u>161,371.80</u></u>
 Uncleared Transactions	
Checks and Payments - 1 Item	-1,497.17
Total Uncleared Transactions	<u>-1,497.17</u>
 Register Balance as of 08/31/2016	 <u><u>159,874.63</u></u>
 New Transactions	
Deposits and Credits - 4 Items	5,259.00
Total New Transactions	<u>5,259.00</u>
 Ending Balance	 <u><u>165,133.63</u></u>

Maine County Commissioners Association
Reconciliation Detail
MCCA Checking-Savings Bank, Period Ending 08/31/2016

	Date	Num	Name	Amount
Beginning Balance				
Cleared Transactions				
Checks and Payments - 16 items				
	8/5	EFT	Bangor Payroll	-1,851.83
	8/5	3700	MainePERS	-695.58
	8/11	EFT	Time Warner Cable	-167.71
	8/12	EFT	Bangor Payroll	-1,851.83
	8/12	3704	Kulow, Rosemary	-420.17
	8/12	3705	Haven, Lauren	-310.80
	8/12	3701	Country Cafe Catering	-270.00
	8/12	3703	Liberty Mutual Insurance	-182.00
	8/12	3702	Capitol Computers	-125.00
	8/12	3707	2016 Convention of Maine Counties	-107.00
	8/12	3706	2016 Convention of Maine Counties	-107.00
	8/17	EFT	Bangor Payroll	-1,851.83
	8/23	3709	Gary McGrane	-1,651.11
	8/23	EFT	Camden National Bank	-1,403.58
	8/23	3708	US Bank	-275.00
	8/26	EFT	Bangor Payroll	-5,447.77
Total Checks and Payments				-16,718.21
Deposits and Credits - 20 items				
	8/1			2,309.00
	8/4		Browntech, Inc.	602.00
	8/5			719.00
	8/8	Square	Square	240.84
	8/9	Square	Square	575.76
	8/10	Square	Fairpoint Communications	98.43
	8/10	Square	Fairpoint Communications	450.00
	8/11			850.00
	8/12			229.00
	8/18	Square	Square	837.15
	8/19			1,730.15
	8/19			3,100.00
	8/22	Square	Square	1,254.67
	8/23			503.24
	8/23			527.18
	8/25			28.83
	8/25			481.00
	8/29			1,870.00
	8/30			79.52

Maine County Commissioners Association
Reconciliation Detail
MCCA Checking-Savings Bank, Period Ending 08/31/2016

	Date	Num	Name	Amount
	8/31			6.90
Total Deposits and Credits				<u>16,492.67</u>
Total Cleared Transactions				<u>-225.54</u>
Cleared Balance				-225.54
Uncleared Transactions				
Checks and Payments - 1 item				
	8/23	3710	Maine Farm Bureau	<u>-1,497.17</u>
Total Checks and Payments				<u>-1,497.17</u>
Total Uncleared Transactions				<u>-1,497.17</u>
Register Balance as of 08/31/2016				-1,722.71
New Transactions				
Deposits and Credits - 4 items				
	9/1	1919	Flaherty, Bruce	31.00
	9/1			2,112.00
	9/2			1,056.00
	9/6			<u>2,060.00</u>
Total Deposits and Credits				<u>5,259.00</u>
Total New Transactions				<u>5,259.00</u>
Ending Balance				<u><u>3,536.29</u></u>

Maine County Commissioners Association
Profit & Loss Budget vs. Actual
January through August 2016

	2016 Budget	August 2016	Jan - Aug 2016	\$ Over Budget	% of Budget
Income					
4100-00 · Convention Income					
4120-00 · Registration	28,000	6,692	6,767	-21,233	24%
4130-00 · Sponsorship	8,000	500	500	-7,500	6%
4140-00 · Vendor	11,500	9,067	11,603	103	101%
Total 4100-00 · Convention Income	47,500	16,259	18,870	-28,630	40%
4300-00 · Dues	140,240		140,240		100%
4400-00 · Other Income	1,100	28	399	-701	36%
4500-00 · NACo Roster	500		500		100%
4600-00 · MCCA Risk Pool Assessment	25,000		25,000		100%
4800-00 · MainePERS Surplus Funds	6,500			-6,500	
4810-00 · Interest Earned	45	11	90	45	200%
4920-00 · Transfer in from Fund Balance	31,265			-31,265	
Total Income	252,150	16,297	185,099	-67,051	73%
Expense					
5000-00 · Payroll Expenses					
5020-00 · Payroll Fees	1,850	136	1,160	-690	63%
5030-00 · FICA	7,800	566	4,939	-2,861	63%
5040-00 · MainePERS Contributions	6,500	696	4,291	-2,209	66%
5050-00 · Salary-Office Manager	38,000	2,912	24,750	-13,250	65%
5060-00 · Salary-Executive Director	74,500	5,649	48,019	-26,481	64%
Total 5000-00 · Payroll Expenses	128,650	9,958	83,159	-45,491	65%
5100-00 · Insurance					
5110-00 · Health Insurance	21,000	1,740	13,923	-7,077	66%
5120-00 · Commercial, Crime, D&O Ins	2,100	182	1,911	-189	91%
5130-00 · Workers Comp	650		147	-503	23%
5140-00 · Unemployment Comp Ins	500		307	-193	61%
Total 5100-00 · Insurance	24,250	1,922	16,288	-7,962	67%
6010-00 · Prof. Services					
6012-00 · Prof Services - Legal Services	500			-500	
6013-00 · Financial Audit	4,800			-4,800	
Total 6010-00 · Prof. Services	5,300			-5,300	

Maine County Commissioners Association
Profit & Loss Budget vs. Actual
January through August 2016

	2016 Budget	August 2016	Jan - Aug 2016	\$ Over Budget	% of Budget
6030-00 · Lobbying					
6031-00 · Lobbying Reg	200		200		100%
Total 6030-00 · Lobbying	200		200		100%
6040-00 · NACO Expenses					
6041-00 · Conferences	8,500	2,803	7,932	-568	93%
Total 6040-00 · NACO Expenses	8,500	2,803	7,932	-568	93%
6050-00 · Education and Training	500		245	-255	49%
6100-00 · Bank Charges	50			-50	
6110-00 · Convention Expense					
6113-00 · Entertainment/Speakers	6,500			-6,500	
6114-00 · MCCA Staff Registration Expense	1,000			-1,000	
6118-00 · Meeting Exp.	25,000		200	-24,800	1%
6121-00 · Supplies	2,500	80	80	-2,420	3%
6124-00 · Commissioner Retirement Plaques	500			-500	
Total 6110-00 · Convention Expense	35,500	80	280	-35,220	1%
6140-00 · Copies-Printing					
6142-00 · Directory	825		69	-756	8%
6143-00 · Other Copying or Printing	150			-150	
Total 6140-00 · Copies-Printing	975		69	-906	7%
6145-00 · Dues Expense	1,400		1,423	23	102%
6150-00 · Equipment - Office					
6151-00 · Computer Hardware & Software	1,500		339	-1,161	23%
6152-00 · IT Services	2,800	125	1,043	-1,757	37%
6153-00 · Photocopier Lease	2,000	275	2,131	131	107%
6154-00 · Printer & Supplies	1,200		447	-753	37%
6155-00 · Telephone System	200			-200	
6156-00 · Other	500		304	-196	61%
Total 6150-00 · Equipment - Office	8,200	400	4,264	-3,936	52%
6160-00 · Fees	100		36	-64	36%
6170-00 · Meeting Expense					
6171-00 · Annual Meeting	1,500		1,325	-175	88%
6172-00 · County Officials' Workshop	250			-250	
6173-00 · Monthly	3,250	313	2,138	-1,112	66%

Maine County Commissioners Association
Profit & Loss Budget vs. Actual
January through August 2016

	2016 Budget	August 2016	Jan - Aug 2016	\$ Over Budget	% of Budget
6174-00 · Retreat Meeting	800			-800	
6175-00 · Meetings - Other	800		229	-571	29%
Total 6170-00 · Meeting Expense	6,600	313	3,692	-2,908	56%
6180-00 · Mileage & Travel Expense	5,200	603	4,366	-834	84%
6195-00 · Office Space Rental	18,375	1,497	11,977	-6,398	65%
6215-00 · Postage-Shipping	250		127	-123	51%
6230-00 · Advertising	750			-750	
6235-00 · Supplies	2,500	117	701	-1,799	28%
6240-00 · Telephone, Fax & Internet					
6241-00 · Cell Phone	1,600	124	987	-613	62%
6243-00 · Phone, Fax & Internet	2,000	168	1,338	-662	67%
Total 6240-00 · Telephone, Fax & Internet	3,600	292	2,325	-1,275	65%
6250-00 · Website	250		12	-238	5%
6260-00 · Contingency	1,000			-1,000	
Total Expense	252,150	17,986	137,096	-115,054	54%

Maine County Commissioners Association Transaction Detail by Account

August 2016

Date	Name	Memo	Amount	Balance
8/1		Deposit	2,309.00	2,309.00
8/4	Browntech, Inc.	Deposit	602.00	2,911.00
8/5	MainePERS		-695.58	2,215.42
8/5		Deposit	719.00	2,934.42
8/5	Bangor Payroll	Payroll for week 7/25 to 7/31/16	-1,851.83	1,082.59
8/8	Square	Deposit	240.84	1,323.43
8/9	Square	Deposit	575.76	1,899.19
8/10	Fairpoint Communications	Deposit	450.00	2,349.19
8/10	Fairpoint Communications	Deposit	98.43	2,447.62
8/11		Deposit	850.00	3,297.62
8/11	Time Warner Cable		-167.71	3,129.91
8/12	Country Cafe Catering	BOD Meeting Lunch	-270.00	2,859.91
8/12	Capitol Computers		-125.00	2,734.91
8/12	Liberty Mutual Insurance		-182.00	2,552.91
8/12	Kulow, Rosemary	Executive Director Expenses	-420.17	2,132.74
8/12	Haven, Lauren		-310.80	1,821.94
8/12	2016 Convention of Maine Counties		-107.00	1,714.94
8/12	2016 Convention of Maine Counties		-107.00	1,607.94
8/12		Deposit	229.00	1,836.94
8/12	Bangor Payroll	Payroll for week 8/1 to 8/7/16	-1,851.83	-14.89
8/17	Bangor Payroll	Payroll for week 8/8 to 8/14/16	-1,851.83	-1,866.72
8/18	Square	Deposit	837.15	-1,029.57
8/19		Deposit	3,100.00	2,070.43
8/19		Deposit	1,730.15	3,800.58
8/22	Square	Deposit	1,254.67	5,055.25
8/23	US Bank		-275.00	4,780.25
8/23	Camden National Bank		-1,403.58	3,376.67
8/23	Gary McGrane		-1,651.11	1,725.56
8/23	Maine Farm Bureau	Office Rent	-1,497.17	228.39
8/23		Deposit	503.24	731.63
8/23		Deposit	527.18	1,258.81
8/25		Deposit	481.00	1,739.81
8/25		Deposit	28.83	1,768.64
8/26	Bangor Payroll	Payroll for week 8/15 to 8/21/16	-5,447.77	-3,679.13

8:58 AM

09/08/16

Accrual Basis

Maine County Commissioners Association Transaction Detail by Account

August 2016

Date	Name	Memo	Amount	Balance
8/29		Deposit	1,870.00	-1,809.13
8/30		Deposit	79.52	-1,729.61
8/31		Interest	6.90	-1,722.71
			-1,722.71	-1,722.71
Total MCCA Checking-Savings Bank				
Money Market Account				
8/21		Interest	3.60	3.60
			3.60	3.60
Total Money Market Account				
Receivables				
8/25	Knox County		30.00	30.00
			30.00	30.00
Total Receivables				
Accounts Payable				
8/4	MainePERS		-695.58	-695.58
8/5	MainePERS		695.58	0.00
8/5	Bangor Payroll	Payroll for week 7/25 to 7/31/16	-1,851.83	-1,851.83
8/5	Bangor Payroll	Payroll for week 7/25 to 7/31/16	1,851.83	0.00
8/11	Country Cafe Catering	BOD Meeting Lunch	-270.00	-270.00
8/11	Time Warner Cable		-167.71	-437.71
8/11	Time Warner Cable		167.71	-270.00
8/12	Country Cafe Catering	BOD Meeting Lunch	270.00	0.00
8/12	Capitol Computers		-125.00	-125.00
8/12	Capitol Computers		125.00	0.00
8/12	Liberty Mutual Insurance		-182.00	-182.00
8/12	Liberty Mutual Insurance		182.00	0.00
8/12	Kulow, Rosemary	Executive Director Expenses	-420.17	-420.17
8/12	Kulow, Rosemary	Executive Director Expenses	420.17	0.00
8/12	Haven, Lauren		-310.80	-310.80
8/12	Haven, Lauren		310.80	0.00
8/12	2016 Convention of Maine Counties		-107.00	-107.00
8/12	2016 Convention of Maine Counties		107.00	0.00
8/12	2016 Convention of Maine Counties		-107.00	-107.00
8/12	2016 Convention of Maine Counties		107.00	0.00
8/12	Bangor Payroll	Payroll for week 8/1 to 8/7/16	-1,851.83	-1,851.83

Maine County Commissioners Association Transaction Detail by Account August 2016

Date	Name	Memo	Amount	Balance
8/12	Bangor Payroll	Payroll for week 8/1 to 8/7/16	1,851.83	0.00
8/17	Bangor Payroll	Payroll for week 8/8 to 8/14/16	-1,851.83	-1,851.83
8/17	Bangor Payroll	Payroll for week 8/8 to 8/14/16	1,851.83	0.00
8/19	Maine Farm Bureau	Office Rent	-1,497.17	-1,497.17
8/19	US Bank		-275.00	-1,772.17
8/19	Camden National Bank		-1,403.58	-3,175.75
8/19	Gary McGrane		-1,651.11	-4,826.86
8/23	US Bank		275.00	-4,551.86
8/23	Camden National Bank		1,403.58	-3,148.28
8/23	Gary McGrane		1,651.11	-1,497.17
8/23	Maine Farm Bureau	Office Rent	1,497.17	0.00
8/26	Bangor Payroll	Payroll for week 8/13 to 8/21/16	-5,447.77	-5,447.77
8/26	Bangor Payroll	Payroll for week 8/15 to 8/21/16	5,447.77	0.00
Total Accounts Payable			0.00	0.00
1000-00 · Employee Health Insurance Contr				
8/5	Bangor Payroll	EE Health Insurance Contributions	-290.68	-290.68
8/12	Bangor Payroll	EE Health Insurance Contributions	-290.68	-581.36
8/17	Bangor Payroll	EE Health Insurance Contributions	-290.68	-872.04
8/26	Bangor Payroll	EE Health Insurance Contributions	1,162.65	290.61
8/26	Bangor Payroll	EE Health Insurance Contributions	-290.61	0.00
Total 1000-00 · Employee Health Insurance Contr			0.00	0.00
1001-00 · MainePERS Employee Contribution				
8/5	Bangor Payroll	Employee Contribution	-171.21	-171.21
8/12	Bangor Payroll	Employee Contribution	-171.21	-342.42
8/17	Bangor Payroll	Employee Contribution	-171.21	-513.63
8/26	Bangor Payroll	Employee Contribution	-171.21	-684.84
8/26	Bangor Payroll	EE MEPRS Retirement Contributions	684.84	0.00
Total 1001-00 · MainePERS Employee Cont			0.00	0.00
4100-00 · Convention Income				
4120-00 · Registration				
8/5	Trask, Frederick	Attendee	-162.00	-162.00
8/8	Square	Deposit	-240.84	-402.84

Maine County Commissioners Association Transaction Detail by Account

August 2016

Date	Name	Memo	Amount	Balance
8/9	Square	Deposit	-575.76	-978.60
8/10	Fairpoint Communications	Deposit	-98.43	-1,077.03
8/18	Square	Deposit	-837.15	-1,914.18
8/19	Kennebec County	Ayers & Fleury	-294.00	-2,208.18
8/19	Dickinson, Hannah	Guest Expenses	-132.00	-2,340.18
8/19	Sagadahoc County	Dickinson & Bird	-324.00	-2,664.18
8/19	Cumberland County	N.Lane & M.Haupt	-152.00	-2,816.18
8/22	Square	Deposit	-1,254.67	-4,070.85
8/23	Curtis, Julie	J.Curtis	-54.57	-4,125.42
8/23	Square	S.Cole, P.Shearman	-527.18	-4,652.60
8/25	Knox County	A.Hart/R.Moody	-289.00	-4,941.60
8/25	Knox County	E.Hallett/J.Allen	-80.00	-5,021.60
8/25	Knox County	C.Maines	-112.00	-5,133.60
8/25	Knox County	Correction for County Employees registered as gi	-30.00	-5,163.60
8/25	Square	S.Peavey	-28.83	-5,192.43
8/29	Acorn Recording Solutions, Inc.	Meals	-214.00	-5,406.43
8/29	O'Brien, Jack	Jack OBrien	-294.00	-5,700.43
8/29	Shorey, Jean	Guest Jean Shorey	-25.00	-5,725.43
8/29	Fowler, Amy	Guest Steve Chapman	-111.00	-5,836.43
8/29	Stacy Grant	Guest Mel Grant	-92.00	-5,928.43
8/29	Waldo County	Grant/Parkman/Johnson/Shorey/Fowler	-684.00	-6,612.43
8/30	Square	C.Lovejoy	-79.52	-6,691.95
Total 4120-00 · Registration			-6,691.95	-6,691.95
4130-00 · Sponsorship				
Total 4130-00 · Sponsorship			-500.00	-500.00
4140-00 · Vendor				
8/19	Fidlar Technologies, Inc.	Sponsor	-500.00	-500.00
8/1	Kofile Preservation	Deposit	-557.00	-557.00
8/1	Info Quick Solutions, Inc.	Deposit	-1,302.00	-1,859.00
8/1	Securus Technologies	Deposit	-450.00	-2,309.00
8/4	Browntech, Inc.	Exhibit Booth	-602.00	-2,911.00
8/5	University of Maine System	Exhibitor	-557.00	-3,468.00
8/10	Fairpoint Communications	Deposit	-450.00	-3,918.00

Maine County Commissioners Association
Transaction Detail by Account

August 2016

Date	Name	Memo	Amount	Balance
8/11	Keefe Group	Exhibit & Ad	-850.00	-4,768.00
8/19	Fidlar Technologies, Inc.	Exhibit	-450.00	-5,218.00
8/19	Fidlar Technologies, Inc.	Advertisement	-700.00	-5,918.00
8/19	Rudman & Winchell, LLC	Advertisement	-700.00	-6,618.00
8/19	Libby O'Brien Kingsley & Champion, LLC	Ad	-1,000.00	-7,618.00
8/19	Nationwide Mutual Insurance Company	Vendor	-550.00	-8,168.00
8/23	Machias Savings Bank	Exhibit	-448.67	-8,616.67
8/29	Acorn Recording Solutions, Inc.	Exhibit	-450.00	-9,066.67
Total 4140-00 - Vendor			-9,066.67	-9,066.67
Total 4100-00 - Convention Income			-16,258.62	-16,258.62
4400-00 - Other Income				
Total 4400-00 - Other Income			-28.15	-28.15
4810-00 - Interest Earned				
8/21		Interest	-3.60	-3.60
8/31		Interest	-6.90	-10.50
Total 4810-00 - Interest Earned			-10.50	-10.50
5000-00 - Payroll Expenses				
5020-00 - Payroll Fees				
8/5	Bangor Payroll	Processing fee	32.00	32.00
8/12	Bangor Payroll	Processing fee	32.00	64.00
8/17	Bangor Payroll	Processing fee	32.00	96.00
8/26	Bangor Payroll	Processing fee	40.00	136.00
Total 5020-00 - Payroll Fees			136.00	136.00
5030-00 - FICA				
8/5	Bangor Payroll	Taxes	141.48	141.48
8/12	Bangor Payroll	Taxes	141.48	282.96
8/17	Bangor Payroll	Taxes	141.48	424.44
8/26	Bangor Payroll	Taxes	141.49	565.93
Total 5030-00 - FICA			565.93	565.93

Maine County Commissioners Association Transaction Detail by Account

August 2016

Date	Name	Memo	Amount	Balance
5040-00 · MainePERS Contributions				
Total 5040-00 · MainePERS Contributions				
8/4	MainePERS	EmployER Retirement Contribution	695.58	695.58
			695.58	695.58
5050-00 · Salary-Office Manager				
8/5	Bangor Payroll	Administrative Assistant Salary	727.93	727.93
8/12	Bangor Payroll	Administrative Assistant Salary	727.93	1,455.86
8/17	Bangor Payroll	Administrative Assistant Salary	727.93	2,183.79
8/26	Bangor Payroll	Office Managers Salary	727.93	2,911.72
			2,911.72	2,911.72
Total 5050-00 · Salary-Office Manager				
5060-00 · Salary-Executive Director				
8/5	Bangor Payroll	Executive Directors Salary	1,412.31	1,412.31
8/12	Bangor Payroll	Executive Directors Salary	1,412.31	2,824.62
8/17	Bangor Payroll	Executive Directors Salary	1,412.31	4,236.93
8/26	Bangor Payroll	Executive Directors Salary	1,412.31	5,649.24
			5,649.24	5,649.24
Total 5060-00 · Salary-Executive Director				
Total 5000-00 · Payroll Expenses				
			9,958.47	9,958.47
5100-00 · Insurance				
5110-00 · Health Insurance				
Total 5110-00 · Health Insurance				
8/26	Bangor Payroll	ER Health Insurance Contributions	1,740.37	1,740.37
			1,740.37	1,740.37
5120-00 · Commercial, Crime, D&O Ins				
Total 5120-00-Commercial, Crime, D&O Ins				
8/12	Liberty Mutual Insurance	Commercial Insurance Package	182.00	182.00
			182.00	182.00
Total 5100-00 · Insurance				
			1,922.37	1,922.37
6040-00 · NACO Expenses				
6041-00 · Conferences				

Maine County Commissioners Association
Transaction Detail by Account

August 2016

Date	Name	Memo	Amount	Balance
8/12	Kulow, Rosemary	NACo Conference Meals	172.90	172.90
8/19	Camden National Bank		1,243.41	1,416.31
8/19	Gary McGrane	NACo Meals & Hotel	1,386.65	2,802.96
Total 6041-00 · Conferences			2,802.96	2,802.96
Total 6040-00 · NACO Expenses			2,802.96	2,802.96
6110-00 · Convention Expense				
6114-00 · MCCA Staff Registration Expense				
8/12	2016 Convention of Maine Counties	Convention Meals for Executive Director	107.00	107.00
8/12	2016 Convention of Maine Counties	Convention Meals for Office Manager	107.00	214.00
8/12	2016 Convention of Maine Counties	Convention meals for Executive Director	-107.00	107.00
8/12	2016 Convention of Maine Counties	Convention meals for Office Manager	-107.00	0.00
Total 6114-00 · MCCA Staff Registration			0.00	0.00
6121-00 · Supplies				
8/19	Camden National Bank		80.17	80.17
Total 6121-00 · Supplies			80.17	80.17
Total 6110-00 · Convention Expense			80.17	80.17
6150-00 · Equipment - Office				
6152-00 · IT Services				
8/12	Capitol Computers		125.00	125.00
Total 6152-00 · IT Services			125.00	125.00
6153-00 · Photocopier Lease				
8/19	US Bank		275.00	275.00
Total 6153-00 · Photocopier Lease			275.00	275.00
Total 6150-00 · Equipment - Office			400.00	400.00
6170-00 · Meeting Expense				
6173-00 · Monthly				

Maine County Commissioners Association Transaction Detail by Account

August 2016

Date	Name	Memo	Amount	Balance
8/11	Country Cafe Catering	BOD Meeting Lunch	270.00	270.00
8/12	Haven, Lauren		43.41	313.41
Total 6173-00 · Monthly			313.41	313.41
Total 6170-00 · Meeting Expense			313.41	313.41
6180-00 · Mileage & Travel Expense				
8/12	Kulow, Rosemary	Executive Director Mileage	172.27	172.27
8/12	Haven, Lauren		101.25	273.52
8/12	Kulow, Rosemary	Travel Expense	-15.00	258.52
8/19	Camden National Bank		80.00	338.52
8/19	Gary McGrane	Mileage/Parking/Tolls/Baggage	264.46	602.98
Total 6180-00 · Mileage & Travel Expense			602.98	602.98
6195-00 · Office Space Rental				
8/19	Maine Farm Bureau	Rent	1,497.17	1,497.17
Total 6195-00 · Office Space Rental			1,497.17	1,497.17
6235-00 · Supplies				
8/12	Haven, Lauren		116.91	116.91
Total 6235-00 · Supplies			116.91	116.91
6240-00 · Telephone, Fax & Internet				
6241-00 · Cell Phone				
8/12	Kulow, Rosemary	Cell Phone Reimbursement	75.00	75.00
8/12	Haven, Lauren	Cell Phone Reimbursement	49.23	124.23
Total 6241-00 · Cell Phone			124.23	124.23
6243-00 · Phone, Fax & Internet				
8/11	Time Warner Cable	Phone Fax & Internet	167.71	167.71
Total 6243-00 · Phone, Fax & Internet			167.71	167.71
Total 6240-00 · Telephone, Fax & Internet			291.94	291.94

Maine County Commissioners Association
Expenses by Vendor Detail
August 2016

	<u>Date</u>	<u>Account</u>	<u>Amount</u>
2016 Convention of Maine Counties			
	8/12	6114-00 · MCCA Staff Registration Expens	107.00
	8/12	6114-00 · MCCA Staff Registration Expens	107.00
	8/12	6114-00 · MCCA Staff Registration Expens	-107.00
	8/12	6114-00 · MCCA Staff Registration Expens	-107.00
Total 2016 Convention of Maine Counties			<u>0.00</u>
Bangor Payroll			
	8/5	5050-00 · Salary-Office Manager	727.93
	8/5	5030-00 · FICA	141.48
	8/5	5020-00 · Payroll Fees	32.00
	8/5	5060-00 · Salary-Executive Director	1,412.31
	8/12	5050-00 · Salary-Office Manager	727.93
	8/12	5030-00 · FICA	141.48
	8/12	5020-00 · Payroll Fees	32.00
	8/12	5060-00 · Salary-Executive Director	1,412.31
	8/17	5050-00 · Salary-Office Manager	727.93
	8/17	5030-00 · FICA	141.48
	8/17	5020-00 · Payroll Fees	32.00
	8/17	5060-00 · Salary-Executive Director	1,412.31
	8/26	5050-00 · Salary-Office Manager	727.93
	8/26	5030-00 · FICA	141.49
	8/26	5020-00 · Payroll Fees	40.00
	8/26	5060-00 · Salary-Executive Director	1,412.31
	8/26	5110-00 · Health Insurance	1,740.37
Total Bangor Payroll			<u>11,003.26</u>
Camden National Bank			
	8/19	6121-00 · Supplies	80.17
	8/19	6041-00 · Conferences	1,243.41
	8/19	6180-00 · Mileage & Travel Expense	80.00
Total Camden National Bank			<u>1,403.58</u>
Capitol Computers			
	8/12	6152-00 · IT Services	125.00
Total Capitol Computers			<u>125.00</u>
Country Cafe Catering			
	8/11	6173-00 · Monthly	270.00
Total Country Cafe Catering			<u>270.00</u>
Cumberland County			
	8/19	4120-00 · Registration	-152.00
Total Cumberland County			<u>-152.00</u>

Maine County Commissioners Association
Expenses by Vendor Detail
August 2016

	<u>Date</u>	<u>Account</u>	<u>Amount</u>
Gary McGrane			
	8/19	6041-00 · Conferences	1,386.65
	8/19	6180-00 · Mileage & Travel Expense	264.46
Total Gary McGrane			<u>1,651.11</u>
Haven, Lauren			
	8/12	6241-00 · Cell Phone	49.23
	8/12	6173-00 · Monthly	43.41
	8/12	6235-00 · Supplies	116.91
	8/12	6180-00 · Mileage & Travel Expense	101.25
Total Haven, Lauren			<u>310.80</u>
Kulow, Rosemary			
	8/12	6180-00 · Mileage & Travel Expense	172.27
	8/12	6241-00 · Cell Phone	75.00
	8/12	6041-00 · Conferences	172.90
	8/12	6180-00 · Mileage & Travel Expense	-15.00
Total Kulow, Rosemary			<u>405.17</u>
Libby O'Brien Kingsley & Champion, LLC			
	8/19	4140-00 · Vendor	-1,000.00
Total Libby O'Brien Kingsley & Champion, LLC			<u>-1,000.00</u>
Liberty Mutual Insurance			
	8/12	5120-00 · Commercial, Crime, D&O Ins	182.00
Total Liberty Mutual Insurance			<u>182.00</u>
Maine Farm Bureau			
	8/19	6195-00 · Office Space Rental	1,497.17
Total Maine Farm Bureau			<u>1,497.17</u>
MainePERS			
	8/4	5040-00 · MainePERS Contributions	695.58
Total MainePERS			<u>695.58</u>
Time Warner Cable			
	8/11	6243-00 · Phone, Fax & Internet	167.71
Total Time Warner Cable			<u>167.71</u>
US Bank			
	8/19	6153-00 · Photocopier Lease	275.00
Total US Bank			<u>275.00</u>
TOTAL			<u><u>16,834.38</u></u>

Maine County Commissioners Association
Reconciliation Summary
Money Market Account, Period Ending 08/21/2016

	<u>August 2016</u>
Beginning Balance	38,763.02
Cleared Transactions	
Deposits and Credits - 1 item	<u>3.60</u>
Total Cleared Transactions	<u>3.60</u>
 Cleared Balance	 <u><u>38,766.62</u></u>
 Register Balance as of 08/21/2016	 38,766.62
 Ending Balance	 38,766.62

M.C.C.A.

Peter Baldacci, President
Penobscot County Commissioner

Thomas Coward, Vice President
Cumberland County Commissioner

Michael Cote, Secretary-Treasurer
York County Commissioner

Rosemary Kulow
Executive Director

Lauren Haven
Office Manager



Maine County Commissioners Association

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207-623-4697
www.maine counties.org

MCCA Legislation Development Committee

DRAFT Meeting Minutes

10:00 a.m., Monday, September 19, 2016

I. Call to Order & Attendance

The meeting began at 10:00 a.m., and the following people were present: York County Commissioner **Mike Cote**, Somerset County Administrator **Dawn DiBlasi** representing Comm. Newell Graf, and MCCA Executive Director **Rosemary Kulow**.

Chairman/Cumberland County Commissioner **Steve Gorden**, Penobscot County Commissioner **Peter Baldacci**, Somerset County Commissioner **Newell Graf**, Penobscot County Sheriff **Troy Morton**, Somerset County Jail Administrator **Cory Swope**, and Lincoln County Commissioner **Bill Blodgett** were absent.

Although there was not a quorum present, those present carried out the agenda items for the meeting.

II. Review of Jail Costs Attributable to the State and other Non-county Sources

The committee had agreed to develop a bullet point list of costs and factors over which counties have no control to quickly communicate concisely to legislators and the public the main reasons jail costs continue to grow and why state funding is necessary to offset some of the costs. Those present at the meeting reviewed a list developed by Rosemary and revised it for presentation to the MCCA Board of Directors at its meeting during the convention September 30th. A copy entitled, "*Non-county Factors that Increase Jail Time & Costs to County Jails*," is attached.

III. Review of Drafted Legislation

Administrator DiBlasi presented draft legislation on behalf of Comm. Graf for *blood draws* and *video conferencing*. The LDC will ask the Board of Directors to decide whether it wants MCCA to sponsor this type of legislation on behalf of counties. A copy is attached for review, and the legislation will be up for discussion at the Board of Directors' meeting at the convention September 30th.

Two other committee members volunteered to draft legislation to (1) remove CCA funding from other state funding and (2) establish county Criminal Justice Committees. However, those members were absent and had not yet submitted draft legislation to the committee.

IV. Review of Suggested P.L. 335 Revision Areas

Based on discussions at Commissioners' meetings, Rosemary also developed a list of P.L. 335 issues that need revision, deletion, or clarification to make the law more workable for and acceptable to counties. Those present reviewed and revised the list, which will be presented to the Board of Directors at its meeting at the convention September 30th for consideration. The list entitled, "*Ideas for Revised Jail Legislation*," is attached for consideration.

V. Other Business

There were no objections to the minutes of the previous meeting.

VI. Adjournment

The committee adjourned at 11:50 a.m.

Respectfully submitted:


Rosemary Kulow, Executive Director

M.C.C.A.

Peter Baldacci, President
Penobscot County Commissioner

Thomas Coward, Vice President
Cumberland County Commissioner

Michael Cote, Secretary-Treasurer
York County Commissioner



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Rosemary Kulow
Executive Director

Lauren Haven
Office Manager

MCCA Legislation Development Committee Meeting Minutes 10:30 a.m., Monday, August 15, 2016

I. Call to Order & Attendance

The meeting began at 10:30 a.m., and the following people were present: Chairman/Cumberland County Commissioner **Steve Gorden**, Penobscot County Commissioner **Peter Baldacci**, Somerset County Commissioner **Newell Graf**, York County Commissioner **Mike Cote**, Penobscot County Sheriff **Troy Morton**, Somerset County Jail Administrator **Cory Swope**, and MCCA Executive Director **Rosemary Kulow**. Lincoln County Commissioner **Bill Blodgett** was absent.

II. Discussion of Ideas for Potential Legislation

(Should focus on circumstances beyond county control and those which cause fiscal impacts. – *Sheriff Morton*)

- Regulation of consecutive sentencing that places inmates in jails longer than 9 months – Mike Cote
- Formation of regional/county criminal justice committees – Peter Baldacci
- Automatic transfer of inmates to state prison if incarceration lasts longer than 9 months – Steve Gorden
- Violators of probation should return to state prison, rather than county jail – Troy Morton
- Legislation to regulate blood draws (phlebotomy) resulting from arrests – Newell Graf
- Greater discretion for law enforcement to issue summonses, rather than arrest and incarcerate – Steve Gorden
- Tax cap on jail funding – MSA will support County Commissioners' lead on this. – MSA
- Handling of people who turn themselves in. – MSA
- Change in probation – MSA
- Allow and clarify language to board inmates at other facilities. – MSA
- Raise fees to file civil papers & require them to be served by members of sheriffs' departments. – MSA
- Step up qualifications for those who will run for sheriff. – MSA
- Clarify duties and responsibilities of sheriffs. – MSA
- Revise the funding formula for Average Daily Prisoners (ADP). – MSA
- Increase fees to register sex offenders – MSA.
- Use of drones – MSA

- A few other ideas for legislation were offered from MSA, but no other legislative ideas from other county departments were brought before the committee at this time.

III. Homework Tasks

- **Sheriff Morton** will ask the sheriffs to provide data from their county jails that shows number of inmates, their incarceration time, charges, and reasons for length of stay. A report from the gathered statistics will be presented and discussed at the annual MCCA conference Sept. 30 – Oct. 1. MCCA and MSA's working together in this manner is an effective way to develop ideas for appropriate legislation for county jails.
- **Bill Blodgett** will draft legislation that redefines CCA funding separately from other state funding for jails and changes the 30% of total funding requirement to 30% of funds received for CCA programs.
- **Newell & Dawn DiBlasi** will draft legislation for blood draws.
- **Rosemary & Cory** will draft bullet points of jail responsibilities and jail costs attributable to non-county sources.
- **Peter** will draft legislation to establish regional criminal justice committees.
- **All members should review P.L. Ch. 335 to identify the sections that need revision and develop acceptable replacement concepts/language.**

IV. Next Meeting

The next meeting will be at **10:00 a.m., Monday, September 19, 2016** at the MCCA office in Augusta. The agenda will include the following items:

- A. Review bullet points that identify jail responsibilities and jail costs attributable to the State and other non-county sources.
- B. Review information and draft legislation from the above-stated homework tasks.
- C. Review P.L. Ch. 335 and identify areas for revision.
- D. Determine final ideas for jail legislation that will be discussed at the MCCA Convention Sept. 30th.

MCCA will provide lunch for the Sept. 19th meeting, as it might be a long one.

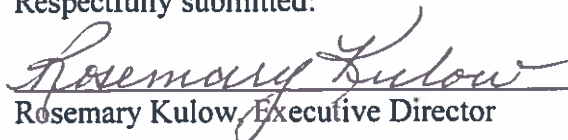
V. Other Business

There were no objections to the minutes of the previous meeting.

VI. Adjournment

The committee adjourned at 12:40 p.m.

Respectfully submitted:


Rosemary Kulow, Executive Director

M.C.C.A.

Peter Baldacci, President
Penobscot County

Thomas Coward, Vice President
Cumberland County

Michael Cote, Secretary-Treasurer
York County

Executive Director
Rosemary Kulow

Lauren Haven
Office Manager



Maine County Commissioners Association

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Augusta, ME 04330
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www.mainecounties.org

MAINE COUNTY COMMISSIONERS ASSOCIATION

Professionalism in Management Committee

July 13, 2016 DRAFT Meeting Minutes

I. Call to Order and Attendance

Chairman Cote called the meeting to order at 12:20 p.m. **Present:** York County Commissioner, Mike Cote; Cumberland County Manager, Peter Crichton; Kennebec County Administrator, Bob Devlin; Somerset County Administrator, Dawn DiBlasi; and Executive Director, Rosemary Kulow. **Absent:** Penobscot County Commissioner, Peter Baldacci; Cumberland County Commissioner, Tom Coward; and Knox County Administrator, Andrew Hart.

II. Meeting Minutes

The minutes were approved as presented.

III. Training Program

Bob Devlin explained his training program for newly elected officials and provided a handout for reference. He highlighted that the training should take at least a full day in order to provide ample time to cover all topics. The syllabus for the training program includes the following subjects:

- Freedom of Access & Open Meeting Law
- Union Contracts and Contract Negotiation
- Risk Management Pool
- County Government Structure
- Tax appeals, Abatements, Poverty Abatements
- Unorganized Territories
- County Budget Process
- Purchasing & Bid Process
- LD 1 & Tax Caps
- History of Jail Consolidation
- County Charters
- Sewer Districts

- Airports
- County Administrators/Clerks/Managers
- Storm Water & Other Special Districts
- Risk Management Pool
- Legislative Relations & Political Activity
- Media Contacts
- Sheriffs' statutes
- Constitutional Officers
- Constitution of the State of Maine
- Article IV Judicial Power, Section 6, Judges & Registers of Probate, Election & Tenure; Vacancies
- Article IX, General Provisions, Section 10. Tenure of Sheriffs
- Departments (BF): sheriff, district attorney, deeds, probate, emergency management agency, treasurer/finance, administration, facilities, airports
- Commissioners' Authority: duties, acting as a board; conflicts of interest; personnel board; employment and dismissal of county employees
- Case Study Exercise
- Encourage counties to provide tours of facilities and departments to newly elected officials.

The group decided that this type of program should be provided to newly elected officials for at least one full day. Training on new laws that affect counties should also be included in the training, as appropriate. Rosemary was asked to prepare a draft of the committee's training and orientation recommendations that will be presented to the Board of Directors after they are formally approved by the committee in August.

IV. Ethics Policies

MCCA staff will place sample ethics policies on the MCCA website in the data bank for use by member counties.

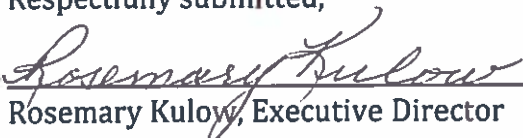
V. Next Meeting

The next committee meeting will be held after lunch on Wednesday, [October 12th \(the MCCA Board of Directors' meeting after the convention\)](#). It is anticipated that this will be the last committee meeting until and unless another meeting is needed in the future.

VI. Adjournment

The meeting was adjourned at 1:30 p.m.

Respectfully submitted,


Rosemary Kulow, Executive Director