

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 460

H.P. 344

House of Representatives, January 29, 2019

**An Act Requiring the State To Reimburse Counties for All Costs
Exceeding the Tax Assessment for Correctional Services**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative STANLEY of Medway.
Cosponsored by Senator FARRIN of Somerset and
Representatives: CAMPBELL of Orrington, McCREA of Fort Fairfield, NADEAU of
Winslow, SKOLFIELD of Weld, TUCKER of Brunswick, VEROW of Brewer, WHITE of
Waterville.

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

2 **Sec. 1. 30-A MRS § 701, sub-§2-C**, as repealed and replaced by PL 2017, c.
3 475, Pt. A, §50, is amended to read:

4 **2-C. Tax assessment for correctional services beginning July 1, 2015.** Beginning
5 July 1, 2015, the counties shall annually collect no less than \$62,172,371 from
6 municipalities for the provision of correctional services in accordance with this
7 subsection. The counties may collect an amount that is more than the base assessment
8 limit established in this subsection, except that the additional amount each year may not
9 exceed the base assessment limit as adjusted by the growth limitation factor established in
10 section 706-A, subsection 3 or 4%, whichever is less. If a county collects in a year an
11 amount that is more than the base assessment limit established for that county pursuant to
12 this subsection, the base assessment limit in the succeeding year is the amount collected
13 in the prior year. If the annual costs for correctional services in a county exceed the
14 assessment collected that year by the county, the Department of Corrections shall
15 reimburse the county in an amount equal to the difference between the costs and the
16 assessment. For the purposes of this subsection, "correctional services" includes
17 management services, personal services, contractual services, commodity purchases,
18 capital expenditures and all other costs, or portions thereof, necessary to maintain and
19 operate correctional services. "Correctional services" does not include county jail debt
20 unless there is a surplus in the account that pays for correctional services at the end of the
21 state fiscal year.

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

- 24 A. A sum of \$4,287,340 in Androscoggin County;
- 25 B. A sum of \$2,316,666 in Aroostook County;
- 26 C. A sum of \$11,575,602 in Cumberland County;
- 27 D. A sum of \$1,621,201 in Franklin County;
- 28 E. A sum of \$1,670,136 in Hancock County;
- 29 F. A sum of \$5,588,343 in Kennebec County;
- 30 G. A sum of \$3,188,700 in Knox County;
- 31 H. A sum of \$2,657,105 in Lincoln County;
- 32 I. A sum of \$1,228,757 in Oxford County;
- 33 J. A sum of \$5,919,118 in Penobscot County;
- 34 K. A sum of \$878,940 in Piscataquis County;
- 35 L. A sum of \$2,657,105 in Sagadahoc County;
- 36 M. A sum of \$5,363,665 in Somerset County;
- 37 N. A sum of \$2,832,353 in Waldo County;
- 38 O. A sum of \$2,000,525 in Washington County; and

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

2 **SUMMARY**

3 This bill requires the Department of Corrections to reimburse a county for the annual
4 costs of correctional services that exceed the county's tax assessment for those services.