

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 493

S. P. 179

In Senate, February 17, 1977

Referred to the Committee on State Government. Sent down for concurrence and 2,000 copies ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Speers of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Assess a Surcharge on Fines and Penalties for the Operation of the Maine Criminal Justice Academy.

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

25 MRSA § 2807 is enacted to read:

§ 2807. Criminal Justice Training Fund

There is created in the State Treasury a Criminal Justice Training Fund to be expended by the academy board of trustees for the costs of operation of the Maine Criminal Justice Academy.

In addition to every fine imposed for a criminal or traffic offense, an additional amount shall be paid by the defendant to the clerk of the court in accordance with the following table:

Amount of fine	Amount of fund
\$5 to \$14.99	\$2
\$15 to \$49.99	\$3
\$50 to \$99.99	\$4
\$100 to \$199.99	\$5
\$200 to \$299.99	\$6
\$300 to \$399.99	\$7
\$400 to \$499.99	\$8
\$500 to \$999.99	\$9
\$1,000 to \$1,499.99	\$10
\$1,500 to \$1,999.99	\$11
\$2,000 to \$2,499.99	\$12

Amount of fine	Amount of fund
\$2,500 to \$2,999.99	\$13
\$3,000 to \$3,499.99	\$14
\$3,500 to \$3,999.99	\$15
\$4,000 to \$4,499.99	\$16
\$5,000 or more	\$17

Where multiple offenses are involved, the penalty assessment shall be based upon the total fine or bail for all offenses. When a fine is suspended, in whole or in part, the penalty assessment shall be reduced in proportion to the suspension.

When any deposit of bail is made for an offense to which this section applies, the person making such deposit shall also deposit a sufficient amount to include the assessment prescribed in this section for forfeited bail. If bail is forfeited, the amount of such assessment shall be transmitted by the clerk of the court to the Treasurer of State or to the county treasurer, as the case may be, and thence to the State Treasury to be deposited in the Criminal Justice Training Fund pursuant to this section. If bail is returned, the assessment made thereon pursuant to this section shall be returned.

After a determination by the court of the amount due, the clerk of the court shall collect the same and transmit it to the Treasurer of State or the county treasurer, as the case may be, and thence to the State Treasury to be deposited in the Criminal Justice Training Fund. The transmission to the State Treasury shall be carried out in the same manner as fines collected for the State by a county.

In any case where a person convicted of any offense to which this section applies is imprisoned until the fine is satisfied, the judge may waive all or any part of the penalty assessment, the payment of which would work a hardship on the person convicted or his immediate family.

FISCAL NOTE

This legislation would supplement, perhaps replace, general state revenue budgeted for the operation and training of the Criminal Justice Academy.

STATEMENT OF FACT

This legislation would provide for the assessment of a fixed dollar amount upon each court-imposed fine, such revenue to be used specifically for the training and operational costs of the **Maine Criminal Justice Academy**. This statute would provide additionally needed revenue for academy operations and is premised on the concept that the law violator ought to pay for the costs of criminal justice training.