

MAINE STATE LEGISLATURE

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(Governor's Bill)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1886

H. P. 1761

House of Representatives, January 25, 1980

Referred to the Committee on Local and County Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk of the House

Presented by Mrs. Prescott of Hampden.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Establish County Corrections' Improvement Fund.

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

Sec. 1. 34 MRSA § 1049 is enacted to read:

§ 1049. County Corrections' Improvement Fund

1. Intent. County correctional facilities in the State must comply with minimum state standards for the humane care of detainees and prisoners. Counties receive payments for the boarding of prisoners from the State and Federal Governments and prisoners on work release. It is the intent of the Legislature to establish the County Corrections' Improvement Fund from these funds for the purpose of meeting state standards.

2. Improvement fund established. All payments received by counties for the board of prisoners shall be credited by county treasurers to the County Corrections' Improvement Fund.

3. Purpose. The County Corrections' Improvement Fund shall be used only for the following purposes:

A. To effect capital improvements to meet state standards;

B. To implement standards which do not require capital improvements,

provided that no use of improvement funds, including, but not limited to, personal services, may supplement any portion of county budgets adopted for the fiscal year beginning June 30, 1980; and

C. To secure additional funds by matching other sources for county corrections' improvements, including, but not limited to, reconstruction and new construction which shall meet state standards.

4. Expenditures; approval. No improvement fund moneys may be expended by county officials without certification by the Commissioner of Mental Health and Corrections that such funds are to be used for the purposes identified in section 3. No expenditure of improvement funds may occur without the approval of a majority of the county commissioners.

5. Funds nonlapsing. Moneys in the County Correction Improvement Fund shall not lapse at the end of a fiscal year, but shall accrue and be carried forward from year to year.

6. Repeal. This section is repealed on December 31, 1984.

Sec. 2. Effective date. Section 1 shall become effective January 1, 1981.

STATEMENT OF FACT

Most counties are faced with major reconstruction of their jails or substantial renovation to meet state standards. Income received from the State for the board of prisoners would be sufficient to rehabilitate jails, thereby enabling them to meet standards. This income could also be used to generate other State and Federal funds to meet more costly capital improvements.

The designation of these funds for these purposes will not have any major impact on the property tax, as would a bond issue or a budgeted capital improvement program, nor will it require an additional appropriation from the Legislature.