

# MAINE STATE LEGISLATURE

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(After Deadline)  
FIRST REGULAR SESSION

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ONE HUNDRED AND THIRTEENTH LEGISLATURE

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Legislative Document

NO. 1452

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H.P. 1069 House of Representatives, May 6, 1987  
Approved for introduction by a majority of the  
Legislative Council pursuant to Joint Rule 27.  
Reference to the Committee on Legal Affairs suggested and  
ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative VOSE of Eastport.  
Cosponsored by Representatives GWADOSKY of Fairfield and  
JACQUES of Waterville.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

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1 AN ACT to Establish a 10% Surtax on Fines to  
2 be Dedicated to the Maine Criminal  
3 Justice Academy in Lieu of Tuition  
4 Paid by Municipalities.  
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6 Be it enacted by the People of the State of Maine as  
7 follows:

8 Sec. 1. 25 MRSA §2809 is enacted to read:

9 §2809. Criminal Justice Training Fund; penalty as-  
10 essment

11 1. Criminal Justice Training Fund. There is  
12 created in the State Treasury the Criminal Justice  
13 Training Fund. The fund shall support the operation  
14 costs of the Maine Criminal Justice Academy.

1           A. The Legislature shall make an annual appro-  
2 riation from the Criminal Justice Training Fund  
3 to the Maine Criminal Justice Academy of any  
4 amounts available which it deems appropriate.

5           B. Any amounts deposited in the fund, but not  
6 appropriated by the end of the fiscal year next  
7 succeeding the fiscal year during which they were  
8 deposited, shall revert to the General Fund.

9           2. Penalty assessments. In addition to every  
10 fine imposed for a criminal offense, a penalty of 10%  
11 of the amount of the fine shall be paid by the de-  
12 fendant.

13           A. When multiple offenses are involved, the pen-  
14 alty assessment shall be based upon the total  
15 fine for all offenses. When a fine is suspended,  
16 in whole or in part, the penalty assessment shall  
17 be reduced in proportion to the suspension.

18           B. When a person convicted of any offense to  
19 which this section applies is imprisoned until  
20 the fine is satisfied, the judge may waive all or  
21 part of the penalty assessment, the payment of  
22 which would work hardship on the person convicted  
23 or on his immediate family.

24           C. The clerk of courts, sheriff or other person  
25 to whom the penalty assessment is paid shall  
26 transmit periodically the amounts to the Treasur-  
27 er of State, who shall deposit them in the Crimi-  
28 nal Justice Training Fund.

29           3. Automatic termination. This section shall  
30 terminate January 1, 1990, unless reenacted by legis-  
31 lation.

32           Sec. 2. Effective date. This Act shall take ef-  
33 fect on January 1, 1988.

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STATEMENT OF FACT

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This bill creates a Criminal Justice Training Fund which will receive money by the addition of a 10% fee of any fines. This bill will also:

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1. Require that amounts assessed and deposited to the credit of the Criminal Justice Training Fund be appropriated by the Legislature on an annual basis. This will continue the opportunity for legislative review and control of academy funding;

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2. Establish an effective date for the bill of January 1, 1988; and

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3. Provide a sunset provision of January 1, 1990.

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