



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 786

1*

H.P. 582

House of Representatives, March 15, 1989

Reference to the Joint Select Committee on Corrections suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative ERWIN of Rumford. Cosponsored by Senator GAUVREAU of Androscoggin, Representative MANNING of Portland and Senator PEARSON of Penobscot.

STATE OF MAINE

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

An Act to Provide Full Reimbursement to Counties for Capital Expenditures for Buildings Attributable to the Community Corrections Program.

Be it enacted by the People of the State of Maine as follows: 1 3 Sec. 1. 34-A MRSA §1210, sub-§5, ¶C, as amended by PL 1987, c. 335, $\S1$, is further amended to read: 5 C. Commodities: 7 (1)Food; 9 Fuel; and (2) 11 Supplies: (3)13 Cleaning; (a) 15 (b) Institutional; and 17 (c) Office; and 19 Sec. 2. 34-A MRSA §1210, sub-§5, ¶D, as amended by PL 1987, c. 335, §1, is repealed. 21 Sec. 3. 34-A MRSA §1210, sub-§5-A is enacted to read: 23 25 5-A. Reimbursement for capital expenditures for buildings. The Department of Corrections shall, under this section, fully 27 reimburse each county quarterly for capital expenditures for buildings to the extent these expenditures reflect the actual increase in jail population resulting from net gain of prisoners 29 under Title 17-A, section 1203, subsection 1 and section 1252, 31 subsection 1. Prior approval of all capital expenditures for buildings is required for reimbursement, and reimbursement shall be provided for all expenditures given prior approval after March 33 <u>31, 1987.</u> 35 37 STATEMENT OF FACT 39 The Legislature enacted the community corrections laws in 41 1986 providing reimbursement to counties for the cost of detaining prisoners convicted of Class A, B or C crimes. The law provides for full reimbursement of the actual cost of detaining 43 these prisoners, but provides only partial reimbursement for 45 construction of buildings directly attributable to these prisoners. For counties which have, or which plan to construct, 47 new jails or jail expansions, this results in an increased burden on the property tax because some portion of those jails will be 49 used to detain Class A, B or C prisoners.

This bill provides full reimbursement by taking these 3 capital expenditures out of the calculation of the daily prisoner reimbursement rate and placing them in a separate subsection of 5 the law.

1

 $\langle \frown \rangle$

(