

MAINE STATE LEGISLATURE

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OK
R. of S.

L.D. 1590

(Filing No. S- 466)

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STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT "A " to HOUSE AMENDMENT "A" to H.P. 1147,
L.D. 1590, Bill, "An Act to Establish the Bureau of Juvenile
Corrections"

Amend the amendment by inserting after the enacting clause
the following:

'Sec. 1. 34-A MRSA c. 1, sub-c. IV is enacted to read:

SUBCHAPTER IV

NEGOTIATIONS WITH MUNICIPALITIES IN WHICH
CORRECTIONAL FACILITIES ARE LOCATED

§1601. Negotiations with municipalities

The Commissioner of Corrections, or the commissioner's
designee, shall negotiate with officials of the municipality in
which correctional facilities for both juveniles and adults
constructed after the effective date of this section are located
to provide state reimbursement to that municipality for the net
increased costs that a new correctional facility imposes on that
municipality. Negotiations shall commence only upon request of
municipal officials and only within 6 months after the net
increased costs arise. As used in this section, unless the
context otherwise indicates, the following terms have the
following meanings.

1. Correctional facility. "Correctional facility" means
those facilities outlined in section 1001, subsection 6.

2. Net increased costs. "Net increased costs" means the
costs of those services rendered to the facility by the
municipality and the costs of any adverse impact proximately

caused by the operation of the facility, subtracted from the fair market value of those services rendered by the facility to the municipality.'

Further amend the amendment by inserting after section 2 the following:

'Sec. 3. 34-B MRSA c. 1, sub-c. IV is enacted to read:

SUBCHAPTER IV

NEGOTIATIONS WITH MUNICIPALITIES IN WHICH STATE INSTITUTIONS ARE LOCATED

§1602. Negotiations with municipalities

The Commissioner of Mental Health and Mental Retardation, or the commissioner's designee, shall negotiate with officials of the municipality in which state institutions for both juveniles and adults constructed after the effective date of this section are located to provide state reimbursement to that municipality for the net increased costs that a new state institution imposes on that municipality. Negotiations shall commence only upon request of municipal officials and only within 6 months after the net increased costs arise. As used in this section, unless the context otherwise indicates the following terms have the following meaning:

1. State institution. "State institution" means those facilities outlined in section 1001, subsection 8.

2. Net increased costs. "Net increased costs" means the costs of those services rendered to the facility by the municipality and the costs of any adverse impact proximately caused by the operation of the facility, subtracted from the fair market value of those services rendered by the facility to the municipality.'

Further amend the amendment by renumbering the sections to read consecutively.

R. of S.

SENATE AMENDMENT "A " to HOUSE AMENDMENT "A" to H.P. 1147, L.D.
1590

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STATEMENT OF FACT

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This amendment requires that the Commissioner of Corrections
and the Commissioner of Mental Health and Mental Retardation
negotiate with officials in municipalities in which correctional
facilities and state institutions are located to provide state
reimbursement for increased costs.

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(Senator BUSTIN)

SPONSORED BY:



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COUNTY: Kennebec

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