

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
115TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT " B " to S.P. 934, L.D. 2392, Bill, "An Act to Repeal the Community Corrections Act"

Amend the bill by striking out the title and substituting the following:

'An Act to Repeal the Limitation on State Reimbursement for County Jails'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 34-A MRSA §1210, sub-§2, as amended by PL 1991, c. 622, Pt. W, is further amended to read:

2. Reimbursement. Except as provided in subsection 6-A, the department shall, under this section, reimburse each county quarterly for each actual day served at that county correctional facility by:

A. Persons convicted of a Class A, Class B or Class C crime sentenced after March 31, 1987, to serve a term of imprisonment pursuant to Title 17-A, section 1203, subsection 1, or section 1252, subsection 1; and

B. Persons convicted of a Class A, Class B or Class C crime sentenced after December 31, 1988, to serve a term of imprisonment pursuant to Title 17-A, section 1203, subsection 1 or section 1252, subsection 1.

Reimbursement for periods after June 30, 1987 may not be authorized until the reimbursable costs for the operations of the jail are agreed upon by the commissioner and the county commissioners for that county. Reimbursable costs for the operations of the jail must, to the extent practicable, be

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2 mutually agreed upon prior to the actual expenditures of funds
4 for those costs. Prior approval of all capital expenditures is
6 required for reimbursement of that expense item. If the
8 commissioner and the county commissioners are unable to agree
upon reimbursable costs, they shall jointly select an arbitrator
to determine those costs. The arbitrator's decision is final and
both the commissioner and the county commissioners are bound by
that decision.

10 ~~The obligation of the Department of Corrections to reimburse~~
12 ~~counties pursuant to this section may not exceed the actual~~
~~amount appropriated during the fiscal years 1991-92 and 1992-93.~~

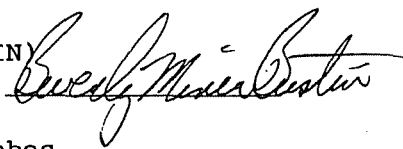
14
16 **FISCAL NOTE**

18 This bill repeals a limit on the liability of the Department
20 of Corrections to reimburse counties for qualifying county jail
operating costs. The Department of Corrections may need to
request additional General Fund appropriations in fiscal year
1992-93 to meet this liability.'

24
26 **STATEMENT OF FACT**

28 This amendment replaces the bill and repeals a provision
30 enacted by Public Law 1991, chapter 622 that limited the
reimbursement that the Department of Corrections is obligated to
pay counties to the amounts appropriated in fiscal years 1991-92
and 1992-93.

34
36 (Senator BUSTIN)
38 SPONSORED BY:



40 COUNTY: Kennebec

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(3/9/92) (S-600)