

MAINE STATE LEGISLATURE

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7
R. S.

L.D. 1759

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DATE: 03/30/96

(Filing No. H- 900)

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
SECOND REGULAR SESSION**

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14

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1280, L.D. 1759, Bill, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1996 and June 30, 1997"

22

Amend the amendment in Part N in section 3 in the blocked paragraph in the 2nd and 3rd lines (page 114, lines 34 and 35 in amendment) by striking out the following: "September 30," and inserting in its place the following: 'December 31,'

26

Further amend the amendment in Part N in section 3 in the blocked paragraph in the last line (page 115, line 2 in amendment) by striking out the following: "September 30," and inserting in its place the following: 'December 31,'

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Further amend the amendment in Part N in section 4 in the last line (page 115, line 10 in L.D.) by striking out the following: "September 30," and inserting in its place the following: 'December 31.'

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Further amend the amendment by inserting after Part LL the following:

38

'PART MM

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Sec. MM-1. 34-A MRSA §1210, sub-§2, as amended by PL 1995, c. 368, Pt. K, §3, is further amended to read:

42

44

2. Reimbursement. Except as provided in subsection 6-A, the department shall, under this section, reimburse each county

46

HOUSE AMENDMENT

quarterly for each actual day served at that county correctional
2 facility by:

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

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

14 Reimbursement for periods after June 30, 1987 may not be
authorized until the reimbursable costs for the operations of the
16 jail are agreed upon by the commissioner and the county
commissioners for that county. Reimbursable costs for the
18 operations of the jail must, to the extent practicable, be
mutually agreed upon prior to the actual expenditures of funds
20 for those costs. Prior approval of all capital expenditures is
required for reimbursement of that expense item. If the
22 commissioner and the county commissioners are unable to agree
upon reimbursable costs, they shall jointly select an arbitrator
24 to determine those costs. The arbitrator's decision is final and
both the commissioner and the county commissioners are bound by
26 that decision.

28 The obligation of the Department of Corrections to reimburse
counties pursuant to this section may not exceed the actual
30 amount appropriated during fiscal years 1993-94, 1994-95, 1995-96
and 1996-97.

32 Notwithstanding any other statutory provision, funds provided as
34 reimbursement to counties for housing state prisoners must be
used to reduce the assessment of each municipality within the
36 county for their due proportion of any county tax payable during
the municipal year for which municipal taxes are being raised.
38 County commissioners shall deduct from the total amount required
to be assessed for county purposes an amount equal to the amount
40 that the county commissioners estimate will be received pursuant
to this subsection.

42 Sec. MM-2. 34-A MRSA §1210, sub-§2, as amended by PL 1995,
44 c. 449, §1 and affected by §2, is further amended to read:

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

50

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

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

10 Reimbursement for periods after June 30, 1987 may not be
12 authorized until the reimbursable costs for the operations of the
jail are agreed upon by the commissioner and the county
14 commissioners for that county. Reimbursable costs for the
operations of the jail must, to the extent practicable, be
16 mutually agreed upon prior to the actual expenditures of funds
for those costs. Prior approval of all capital expenditures is
18 required for reimbursement of that expense item. If the
commissioner and the county commissioners are unable to agree
20 upon reimbursable costs, they shall jointly select an arbitrator
to determine those costs. The arbitrator's decision is final and
22 both the commissioner and the county commissioners are bound by
that decision.

24 The obligation of the Department of Corrections to reimburse
26 counties pursuant to this section may not exceed the actual
amount appropriated during fiscal years 1993-94, 1994-95, 1995-96
28 and 1996-97.

30 Notwithstanding any other statutory provision, funds provided as
32 reimbursement to counties for housing state prisoners must be
used to reduce the assessment of each municipality within the
34 county for their due proportion of any county tax payable during
the municipal year for which municipal taxes are being raised.
36 County commissioners shall deduct from the total amount required
to be assessed for county purposes an amount equal to the amount
38 that the county commissioners estimate will be received pursuant
to this subsection.

40 **Sec. MM-3. Effective date.** Section 2 of this Part takes
effect July 1, 1997.'

42 Further amend the amendment by relettering or renumbering
44 any nonconsecutive Part letter or section number to read
consecutively.

48 SUMMARY

50 This amendment changes the date in Part N associated with
the continuation of the Bath Children's Home as a state-operated

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1280,
L.D. 1759

2 facility to be consistent with the vote of the Joint Standing
Committee on Appropriations and Financial Affairs. This
4 amendment requires funds provided as reimbursement to counties
for housing state prisoners to be used to reduce the assessment
6 for each municipality within the county.

8
10 SPONSORED BY: George Kerr
(Representative KERR)

12 TOWN: Old Orchard Beach
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