

MAINE STATE LEGISLATURE

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M
R.S.

L.D. 725

DATE: 5-19-97

(Filing No. H-556)

MINORITY
CRIMINAL JUSTICE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 534, L.D. 725, Bill, "An Act Requiring State Reimbursement for Certain Services Provided by Counties"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 34-A MRSA §1210, sub-§2, as amended by PL 1995, c. 665, Pt. MM, §§1 and 2 and affected by §3, is repealed and the following enacted in its place:

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.

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

Reimbursement for periods after June 30, 1987 may not be

COMMITTEE AMENDMENT

R.S.

2 authorized until the reimbursable costs for the operations of the
3 jail are agreed upon by the commissioner and the county
4 commissioners for that county. Reimbursable costs for the
5 operations of the jail must, to the extent practicable, be
6 mutually agreed upon prior to the actual expenditures of funds
7 for those costs. Prior approval of all capital expenditures is
8 required for reimbursement of that expense item. If the
9 commissioner and the county commissioners are unable to agree
10 upon reimbursable costs, they shall jointly select an arbitrator
11 to determine those costs. The arbitrator's decision is final and
12 both the commissioner and the county commissioners are bound by
13 that decision.'

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SUMMARY

17 This is the minority report of the committee. The amendment
18 deletes language that requires counties to use in a specified
19 manner funds received as reimbursement for housing state
20 prisoners. That language was enacted to respond to a one-time
distribution of money and was meant to be only temporary.

COMMITTEE AMENDMENT