

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 748

H.P. 507

House of Representatives, February 26, 2009

**An Act To Adjust the Assessment for Correctional Services from
Sagadahoc County**

(EMERGENCY)

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative WATSON of Bath.
Cosponsored by Senator GOODALL of Sagadahoc and
Representatives: BERRY of Bowdoinham, KENT of Woolwich, PERCY of Phippsburg.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** this legislation needs to be implemented before the end of the legislative
4 session to allow alternative sentencing to continue in Sagadahoc County; and

5 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
6 the meaning of the Constitution of Maine and require the following legislation as
7 immediately necessary for the preservation of the public peace, health and safety; now,
8 therefore,

9 **Be it enacted by the People of the State of Maine as follows:**

10 **Sec. 1. 30-A MRSA §701, sub-§2-A,** as amended by PL 2009, c. 1, Pt. Q, §1, is
11 further amended to read:

12 **2-A. Tax assessment for correctional services.** The counties shall annually collect
13 no more and no less than ~~\$62,452,804~~ \$62,683,578 from municipalities for the provision
14 of correctional services, excluding debt service, in accordance with this subsection.

15 The assessment to municipalities within each county may not be greater or less than the
16 fiscal year 2007-08 county assessment for correctional-related expenditures, which is:

- 17 A. A sum of \$4,287,340 in Androscoggin County;
- 18 B. A sum of \$2,316,666 in Aroostook County;
- 19 C. A sum of \$11,575,602 in Cumberland County;
- 20 D. A sum of \$1,621,201 in Franklin County;
- 21 E. A sum of \$1,670,136 in Hancock County;
- 22 F. A sum of \$5,588,343 in Kennebec County;
- 23 G. A sum of \$3,188,700 in Knox County;
- 24 H. A sum of \$3,018,361 in Lincoln County;
- 25 I. A sum of \$1,228,757 in Oxford County;
- 26 J. A sum of \$5,919,118 in Penobscot County;
- 27 K. A sum of \$878,940 in Piscataquis County;
- 28 L. A sum of ~~\$2,295,849~~ \$2,526,623 in Sagadahoc County;
- 29 M. A sum of \$5,363,665 in Somerset County;
- 30 N. A sum of \$2,832,353 in Waldo County;
- 31 O. A sum of \$2,000,525 in Washington County; and
- 32 P. A sum of \$8,667,248 in York County.

33 Notwithstanding this subsection, the county assessment for correctional services-related
34 expenditures in Somerset County must be set at the fiscal year 2009-10 level when the

1 new Somerset County Jail is open and operating at a level sufficient to sustain the
2 average daily number of inmates from Somerset County.

3 For the purposes of this subsection, "correctional services" includes the management
4 services, personal services, contractual services, commodity purchases, capital
5 expenditures and all other costs, or portions thereof, necessary to maintain and operate
6 correctional services.

7 **Emergency clause.** In view of the emergency cited in the preamble, this
8 legislation takes effect when approved.

9 **SUMMARY**

10 This bill changes the correctional-related expenditures for Sagadahoc County from
11 \$2,295,849, as enacted in Public Law 2007, chapter 653, to \$2,526,623. The county
12 became aware after the county made its correctional-related expenditures report that
13 alternative sentencing programs could be included, and Sagadahoc County's report
14 omitted those costs. Without alternative sentencing programs, the number of prisoners
15 will increase and that would become the financial burden of the statewide consolidated
16 jail system. By raising the figure of the funds that the county is authorized to collect,
17 Sagadahoc County can keep its alternative sentencing programs.