

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
SENATE
124TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 668, L.D. 1745, Bill, "An Act To Amend the Laws Governing County Jail Budgeting for York County"

Amend the bill by striking out everything after the title and before the summary and inserting the following:

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

Whereas, this Act needs to take effect by July 1, 2010 so that it coincides with the county's fiscal year; and

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

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

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

2-A. Tax assessment for correctional services. The counties shall annually collect no more and no less than ~~\$62,452,804~~ \$62,172,371 from municipalities for the provision of correctional services, excluding debt service, in accordance with this subsection.

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

- A. A sum of \$4,287,340 in Androscoggin County;
- B. A sum of \$2,316,666 in Aroostook County;
- C. A sum of \$11,575,602 in Cumberland County;
- D. A sum of \$1,621,201 in Franklin County;

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to S.P. 668, L.D. 1745

- 1 E. A sum of \$1,670,136 in Hancock County;
- 2 F. A sum of \$5,588,343 in Kennebec County;
- 3 ~~G. A sum of \$3,188,700 in Knox County;~~
- 4 H. A sum of \$3,018,361 in Lincoln County;
- 5 I. A sum of \$1,228,757 in Oxford County;
- 6 J. A sum of \$5,919,118 in Penobscot County;
- 7 K. A sum of \$878,940 in Piscataquis County;
- 8 L. A sum of \$2,295,849 in Sagadahoc County;
- 9 M. A sum of \$5,363,665 in Somerset County;
- 10 ~~N. A sum of \$2,832,353 in Waldo County;~~
- 11 O. A sum of \$2,000,525 in Washington County; and
- 12 P. A sum of ~~\$8,667,248~~ \$8,386,815 in York County.

13 Notwithstanding this subsection, the county assessment for correctional services-related
 14 expenditures in Somerset County must be set at the fiscal year 2009-10 level when the
 15 new Somerset County Jail is open and operating at a level sufficient to sustain the
 16 average daily number of inmates from Somerset County.

17 For the purposes of this subsection, "correctional services" includes the management
 18 services, personal services, contractual services, commodity purchases, capital
 19 expenditures and all other costs, or portions thereof, necessary to maintain and operate
 20 correctional services.

21 **Emergency clause.** In view of the emergency cited in the preamble, this
 22 legislation takes effect July 1, 2010.'

23 **SUMMARY**

24 This amendment replaces the bill. It amends the tax assessment that can be collected
 25 annually by counties for the provision of correctional services, excluding debt service, so
 26 that York County's cap is reduced by \$280,433. The changes take effect on July 1, 2010
 27 to coincide with the fiscal year. The amendment adds an emergency preamble and
 28 emergency clause.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



124th MAINE LEGISLATURE

LD 1745

LR 2338(02)

An Act To Amend the Laws Governing County Jail Budgeting for York County

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Future biennium cost increase - General Fund

Fiscal Detail and Notes

The reduction in the York county assessment for correctional-related expenditures will not have a financial impact on the State Board of Corrections until fiscal year 2013-14. The current correctional-related assessment for York county is \$8,667,248 and includes the cost of the county jail's annual debt service obligation for its heating, ventilating and air conditioning system, \$280,433. The last scheduled payment for that system is due March 1, 2013 so beginning in fiscal year 2013-14, based on the current assessment, York county would continue to assess \$280,433 for debt service costs they are no longer obligated to pay. That surplus would then become available for the State Board of Corrections to reinvest in other correctional-related costs. This bill lowers the assessment by \$280,433 thereby eliminating the future benefit to the State Board of Corrections.