



Maine County Commissioners Association

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May 19, 2025

Sen. Carney, Chair
Rep. Kuhn, Chair
Joint Standing Committee on Judiciary
100 State House Station
Augusta, ME 04333

Re: ***Testimony of MCCA regarding LD 1259, An Act to Enhance Public Safety in Maine by Defining the Relationship Between Local and Federal Law Enforcement***

Chair Carney, Chair Kuhn, and Members of the Joint Standing Committee on Judiciary:

On behalf of the Maine County Commissioners Association, we appreciate the opportunity to provide testimony to this Committee in ***opposition*** to LD 1259. While we recognize that there are likely to be strongly held opinions on either side of this bill, we do not believe it is appropriate for state government to issue a blanket prohibition on the ability of county government to enter into contractual arrangements with the federal government related to immigration enforcement.

About MCCA. Briefly, the Maine County Commissioners Association was established in 1890 to assist Maine's county government in providing vital services to Maine citizens in a responsive, efficient, and credible manner. The Association is based in Augusta, represents all 16 of Maine's counties, and is governed by a board with representation from each participating county.

What does LD 1259 do? LD 1259 establishes limitations on the ability of state and local law enforcement agencies to enter into agreements with federal agencies to assume federal law enforcement authority.

Public safety is a local issue. Maine's counties rely on the flexibility to enter into agreements and partnerships that best serve their communities. Frequently, county law enforcement authorities are asked to assist federal authorities with regard to immigration activities where public safety is at stake. When such instances arise, it is inherently a local decision as to whether and how local government should engage. It would be untenable for the state to pass a law forbidding local government agencies from assisting in areas where law enforcement agencies believe public safety is at stake.

This is an issue of local revenues. County jails are regularly asked to detain individuals who are believed to have violated federal law, including immigration laws, and the federal government pays county jails for the cost of such detentions. These funds help defray county jail operating costs, which is good for local property taxpayers who are asked to fund the great bulk of the cost of operating county jails. In this regard, it is important to note that Maine's current state budget funds county jails at less than 18% of their

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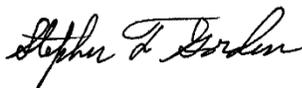
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total operating costs, and unless this is modified as part of the Part Two Budget process, local property taxpayers are responsible for 82% of the cost of operating county jails.

Local law enforcement agencies are best positioned to determine how to enforce the law within their jurisdictions. Local law enforcement agencies are charged with enforcing the law in their jurisdiction, and they are sworn to enforce the law fairly. Sometimes that requires local law enforcement agencies to engage in activities related to immigration. At the same time, if a local law enforcement agency is asked to engage in behavior that is not consistent with the law, whether related to immigration or some other activity, those local agencies already have in place the tools and responsibility to refuse such requests. A blanket state law forbidding cooperation would be unwise, and unwarranted.

Conclusion. For these reasons, the Maine County Commissioners Association respectfully urges the Committee to vote **Ought Not to Pass** on LD 1259. If you have questions or need additional information, please do not hesitate to let us know.

Respectfully submitted,



Stephen Gorden
Co-Chair, Legislative Policy Committee, MCCA



Jean-Marie Caterina
Co-Chair, Legislative Policy Committee, MCCA

cc: Commissioner Andre Cushing, President, MCCA
James I. Cohen, Verrill Dana, LLP, Legislative counsel for MCCA

