

Maine County Commissioners Association

4 Gabriel Drive, Suite 2 Augusta, ME 04330, 207-623-4697
www.mainecontinies.org

LD 258, General Fund Budget for FY24-25, Part A (p. 154) State Support for County Jail Operations

February 14, 2023

Senator Rotundo, Representative Sachs, and members of the Joint Standing Committee on Appropriations and Financial Affairs; Senator Beebe-Center, Representative Salisbury, and members of the Joint Standing Committee on Criminal Justice and Public Safety, my name is Stephen Gorden and in addition to serving as a member of the board of commissioners for Cumberland County, I am writing today in my role as chair of the legislative policy committee of the Maine County Commissioners Association. We appreciate the opportunity to provide testimony to your committees regarding Part A (p.154) of LD 258, the Governor's proposed Biennial Budget.

Executive summary. A year ago, our Association worked collaboratively with the Administration, the Legislature, Maine Municipal Association, and the Maine Sheriffs' Association to adopt LD 1654. This bill was aimed at stabilizing funding for Maine's county jail operations, and as part of the arrangement, the Legislature increased the annual State allocation to county jails to \$20.34 million. The proposed Biennial Budget carries forward the same \$20.34 million even though operating costs for county jails have increased in the intervening year. We appear today to ask the Legislature to increase the proposed \$20.34 million appropriation for county jails in Part A, p. 154. We recommend an increase of \$1,444,289 for each fiscal year to reflect current inflation levels of 7.1 percent. Without an increase, the State's share of financial support for county jails will decline from last year's level, which will place more of a burden on Maine's property taxpayers.

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 of Maine's 16 counties, and is governed by a board with representation from each participating county.

Discussion. MCCA is providing comments regarding the County Jail Operations Fund (Part A, pg. 154) in the Governor's proposed Biennial Budget. As you may know, during the 130th Legislature, our organization worked closely with the Mills Administration, the Maine Sheriffs Association (MSA), and the Maine Municipal Association (MMA) on legislation to stabilize funding for and improve administration of county jails. This was a successful collaborative endeavor and resulted in a bill that passed the Legislature with bipartisan support and was signed by the Governor (*LD 1654, An Act to Stabilize Funding for County Jails*). As a result, baseline State funding for county jails was increased from \$18,442,104 to \$20,342,104. This year's Biennial Budget proposal includes an appropriation for the County Jail Operations Fund at the same baseline level of \$20,342,104. Unfortunately, the cost of operating our county jails has not remained stagnant over the past year.

Costs are on the rise for all aspects of administering our county jails. Most notably, labor costs and costs associated with providing medical services are both increasing precipitously. In order to attract talent and fill vacant positions, we are having to increase the salaries and benefits offered to potential employees. In addition, we must cover rising costs of providing medical services that jails are now mandated to offer, including mental health and substance use treatment.

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Our county administrators and Sheriffs are currently working collaboratively to gather data around the specific rising costs of county jail operations over the past year. We hope to have that information to share with your committees and the Administration very soon.

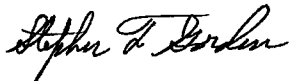
By way of background, the language developed in LD 1654 regarding the State appropriation for county jails was collaboratively developed among our organizations, the Administration, and members of the Legislature. The language from the final law provided as follows: “for fiscal year 2022-23, the Legislature shall appropriate at least \$20,342,104 in General Fund funding to the County Jail Operations Fund.” This language resulted in an increase in funding for county jails. However, it is important to note that this language was for the last fiscal year, and specifically notes that \$20,342,104 was to be a minimum. In this regard, the language does not serve as a constraint for additional State funding for county jails in the upcoming biennium.

Also, as part of the final resolution of LD 1654, the parties agreed – and the Legislature passed – language creating a **County Jail Standards Council** comprised of seven members, including two members from the Department of Corrections and five members representing MCCA, MSA, and MMA. One designated function of this Council is to make budget recommendations to the Administration for county jail appropriations. Last month, the Council met and voted to recommend that the annual appropriation for county jails be increased to reflect a 7.1 percent inflationary adjustment (with DOC Council members abstaining from that vote). That would be an additional \$1,444,289 over the proposed amount currently in LD 258.

We hope to continue the collaborative work that has taken place in recent years on this issue and hope to work with your committees and the Administration on an appropriate inflationary increase for county jail operations in this year’s Biennial Budget.

Conclusion. We appreciate the opportunity to provide testimony on this bill, and if you have questions or need additional information, please do not hesitate to let us know.

Respectfully submitted,



Stephen Gorden
Chair, MCCA Legislative Policy Committee

cc: Commissioner Richard Dutremble, MCCA Board President
Mary-Ann LaMarre, Maine Sheriffs’ Association Executive Director
Rebecca Graham, Maine Municipal Association Legislative Advocate
James I. Cohen, Verrill Dana, LLP, MCCA Legislative Counsel
Clara McConnell, Maine Street Solutions, MCCA Legislative Counsel