

## Maine County Commissioners Association

4 Gabriel Drive, Suite 2 Augusta, ME 04330, 207-623-4697  
[www.maine counties.org](http://www.maine counties.org)

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May 14, 2025

Re: ***LD 1775 An Act to Authorize the Issuance of a Revenue Bond to Upgrade County Jails to Meet the Corrections Needs of Maine's Counties***

Senator Rotundo, Representative Gattine and honorable members of the Joint Standing Committee for Appropriations and Financial Affairs. I am Andre Cushing and appear today on behalf of the Maine County Commissioners Association, in the role as it's president. We appreciate the opportunity to provide testimony to this Committee in support of LD 1775

**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.

There is a pressing need for renovations for most of our county jails to provide some level of in-house medical treatment for people who are presented for incarceration with multiple health conditions which can be exacerbated without proper attention.

Allow me to summarize some facts about Maine's county jail system and its health care needs.

There are fourteen jails and two 72-hour hold facilities (Waldo County & Caribou) across the state which provide detainment for all individuals arrested and awaiting trials or serving sentences of less than a year.

Most do not have any medical beds and limited space to even treat inmates. Until this year only two in southern Maine had capacity in house to address those suffering from substance use issues. Cumberland and York County allocated ARPA funds to construct new treatment facilities which are slated to open this year.

Our jails are required to accept all individuals who are under arrest and presented by state, county and local law enforcement. Those detained who are awaiting arraignment are in the county's care for any health-related issues. County jails have been compared to a hospital's emergency department.

Those with mental health related challenges can not involuntarily receive medication treatment without their consent in county facilities. And many who have court orders for transfer to state mental health facilities remain in county jails due to lack of available bed, lengthening the time until they may receive appropriate care.

The proposal before you provides a unique opportunity to address these needs during what is recognized as a challenging budget year.

A revenue bond can provide resources sooner as it does not require a citizen's referendum vote.

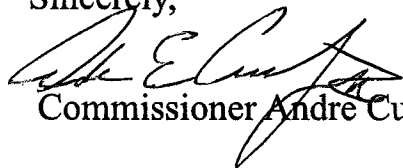
The proposed revenue source would come from funds that are known and outside of general fund revenues that being opioid settlement and liquor contract revenues.

There is precedent for this type of bonding, most recently this vehicle was used to secure repayment of past due obligations to our state's hospitals.

Intake data shows that County jails serve as an entry point for many afflicted by substance use, mental health or in many cases co-occurring health issues. Where better to appropriately focus some of these funds than to providing better resources to address these concerns?

I thank you for the opportunity to present your county commissioner's position on this legislation and respectfully urge you to approve this important proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Andre Cushing", written over the printed name.

Commissioner Andre Cushing, President, MCCA

**Testimony of Sawin Millett, Oxford County Commissioner, in Support of**

**LD 719, An Act to Amend the Share of State Funding for the County Jail Operations Fund**

March 3, 2025

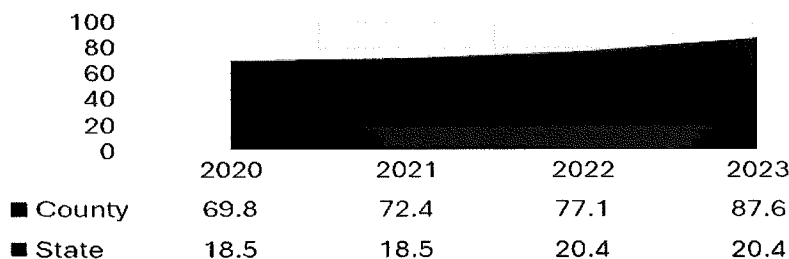
Chair Beebe-Center, Chair Hasenfus, and Members of the Joint Standing Committee on Criminal Justice and Public Safety, my name is Sawin Millett and I serve as a member of the board of commissioners for Oxford County. I appear before you today in support of LD 719 .

You will hear from others on this bill, but it won't surprise you that I want to focus on the numbers as it relates to this bill.

Fundamentally, this bill is about property tax relief for Maine people. According to the numbers below, Maine state government has provided financial support for about 20% of the operating costs of county jails. In this year's biennial budget, the support would get as low as 17% in FY27. That means that, by 2027, local property taxpayers will be picking up 83% of the cost of county jail operations.

	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27
<b>County Jail Operating Costs</b>	\$90.6M	\$90.8M	\$97.6M	\$108M	\$115.5M	\$127.2M <sup>1</sup>	\$132.3M <sup>2</sup>	\$137.6M <sup>3</sup>
<b>State Funding</b>	\$18.5M	\$18.5M	\$20.4M	\$20.4M	\$20.4M	\$24.4M	\$24.4M	\$24.4M
<b>State Funding %</b>	20%	20%	20%	18%	17%	19%	18%	17%

**County Jail Funding Contribution in Millions  
County vs. State**



The purpose of LD 719 is to have the State pick up its fair share of county jail funding so that local property taxpayers can get needed relief. If the state share goes up, the local share goes down.

Now, some of you might ask, how do we know the local share will go down if the state share goes up. The answer is simple. Even if LD 719 were to pass and get funded, the county share would still be 65%, two-thirds of the cost of operating county jails. That is a level of local support that provides substantial motivation for counties to achieve efficiencies and keep costs down.

Let's also talk about whether the state budget can support a 35% share of county jail costs. The short answer is, in any given year, the state budget will support only what it can afford. If the budget can't afford 35%, the share will be adjusted down in that year. That is what happened for 20 years since

1 This figure is based on FY25 budget projections.

2 This is an estimated figure based on a 4% increase from FY 25 operating costs.

3 This is an estimated figure based on a 4% increase from estimated FY 26 operating costs.

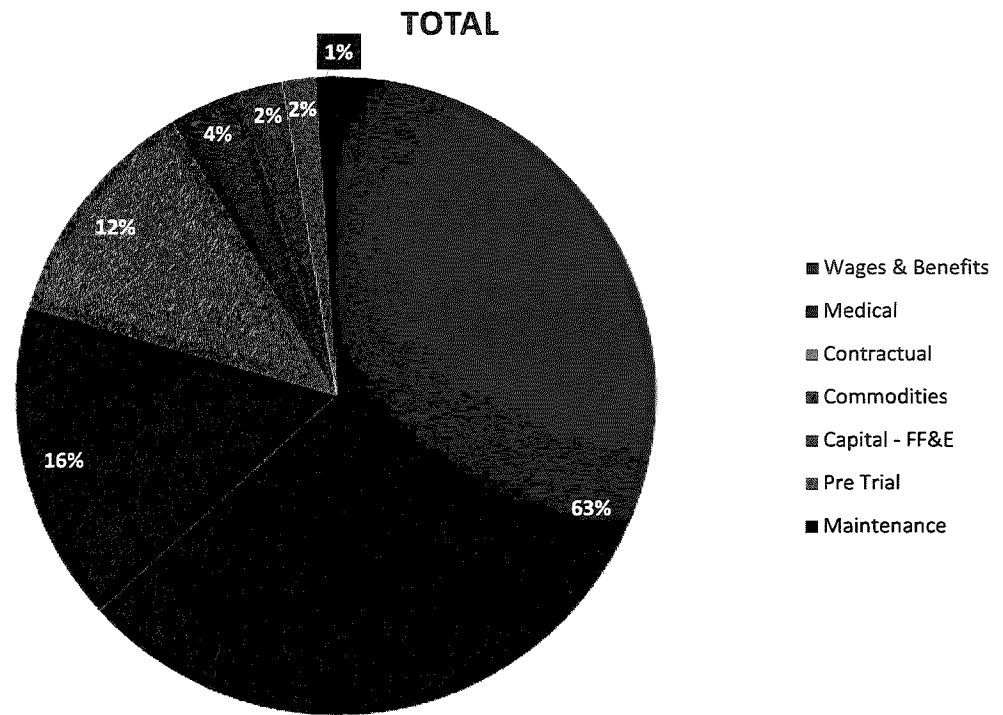
Maine voters passed the law requiring 55% state support for local schools. When Maine's budget had the capacity to fund 55%, as was the case over the past several years, Maine funded schools at 55%. But prior to that, the budget reduced the support below 55%. The same thing can happen with LD 719, although we certainly hope and expect that the state would fully fund county jails.

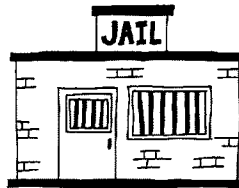
Finally, as an elected official, I hear more about property taxes than any other tax in Maine. Property taxes are regressive. They literally hit people where they live. That's why the Oxford County Commission works as hard as it can to keep spending down, but even with this goal, the cost of operating our county jail went up \_\_%, and that is half of the county budget. So, we were forced to raise property taxes in Oxford County. Obviously, if we can pass legislation that helps relieve the burden of property taxes in Oxford County and the other 15 counties in Maine, even in a modest way as proposed in LD 719, we should do it.

I thank you for the opportunity to provide testimony in support of LD 719. If you have any questions or need additional information, please let me know.

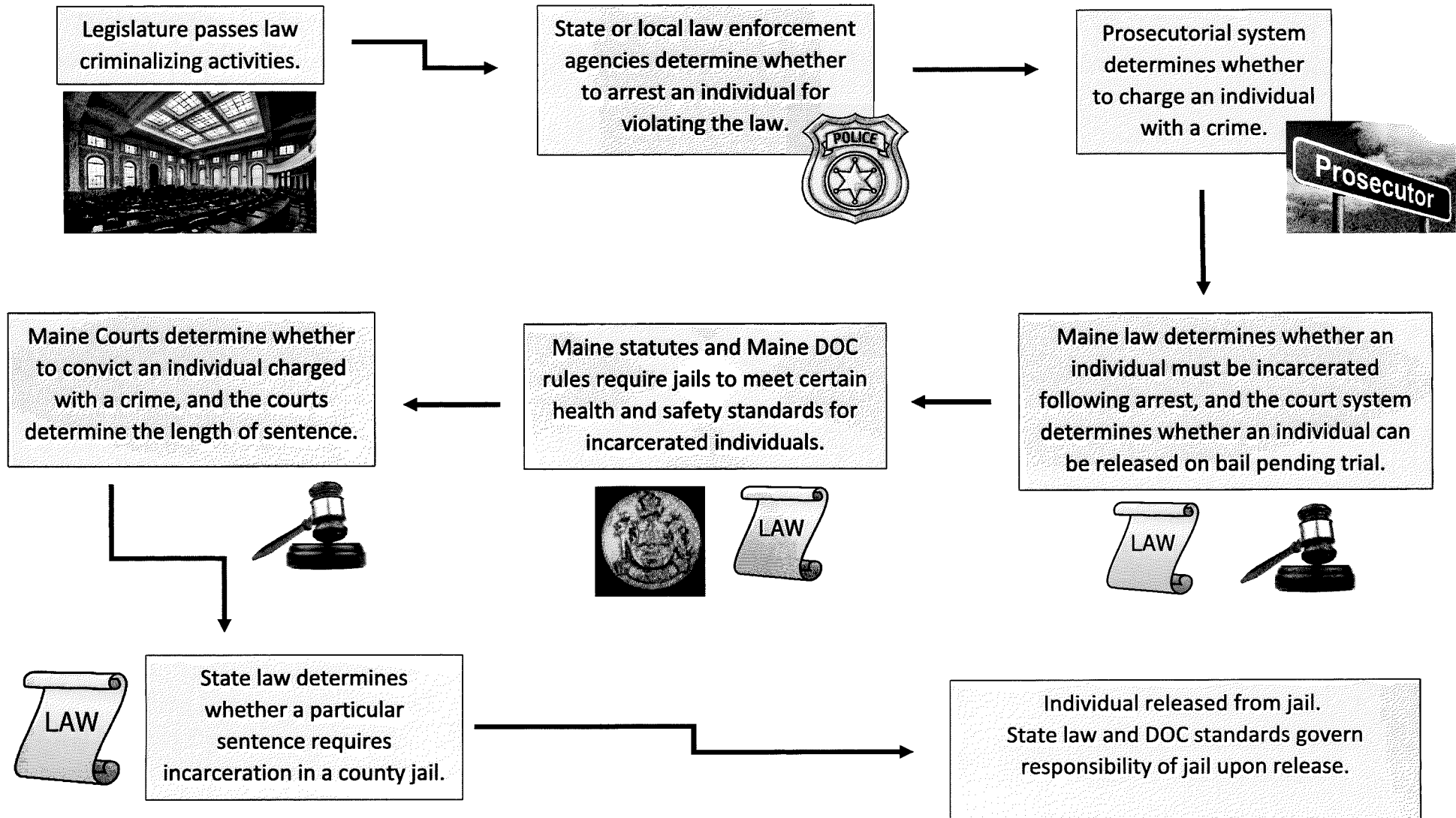
## MAINE COUNTY JAIL EXPENDITURES 2025

Row Labels	Sum of FY25 Budget
Wages & Benefits	\$81,582,274.00
Medical	\$21,008,969.00
Contractual	\$15,422,921.33
Commodities	\$4,708,120.00
Capital - FF&E	\$2,849,905.00
Pre Trial	\$2,131,111.00
Maintenance	\$1,368,357.00
<b>Grand Total</b>	<b>\$129,071,657.33</b>





## THE COST OF INCARCERATION IN COUNTY JAILS: A TIMELINE



FY25 County Jail Funding Distribution							
County	% of Total Prisoner Days	County Jail Operations Funding	CARA	Total FY25 CI Funding Distribution	Total MAT \$4M Distribution	Inc/Dec to 24	FY24 Actuals Updated through
ANDROSCOGGIN	12.0%	2,412,245	240,000	2,412,245		380,829	June
AROSTOOK	7.1%	1,420,138		1,420,138	117,952	(341,025)	June
CUMBERLAND	17.3%	3,485,706		3,485,706	240,081	474,753	June
FRANKLIN	2.0%	397,375		397,375	107,635	121,924	June
HANCOCK	3.8%	760,915		760,915	150,000	48,294	June
KENNEBEC	9.3%	1,861,629		2,101,629	956,348	(126,693)	June
KNOX	2.6%	530,278		530,278	767,000	(249,793)	May
LINCOLN		309,717		309,717		22,620	June
SAGADAHOC		309,717		309,717		22,620	June
TBRJ	3.1%	619,434				99,518	-
ME COASTAL REGIONAL REENTRY CTR	0.8%	157,197		157,197		(40,637)	June
OXFORD	3.0%	608,895		608,895	96,766	93,084	June
PENOBSCOT	15.4%	3,095,652		3,095,652	500,000	(85,784)	June
PISCATAQUIS	0.9%	171,656		171,656	164,762	(43,098)	June
SOMERSET	6.0%	1,203,959		1,203,959	450,000	182,080	June
WALDO	3.5%	696,054		696,054		64,539	June
WASHINGTON	2.4%	480,985		480,985		(143,626)	June
YORK	10.9%	2,199,986		2,199,986	255,000	(390,450)	June
MDOC Reserve Account				0		-	
Grand Total	100.0%	20,102,104	240,000	20,342,104	3,905,062		

Note: Amounts attributed to TBRJ are split 50/ 50 between Lincoln and Sagadahoc.

Thanks,

**Mitchell Boynton**

Department of Administrative & Financial Services

Director, Corrections Service Center

207-557-0791



**Title 34-A: CORRECTIONS**  
**Chapter 1: GENERAL PROVISIONS**  
 Subchapter 2: DEPARTMENT

## **§1210-E. County Jail Operations Fund**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Community corrections" means the delivery of correctional services for adults in the least restrictive manner that ensures the public safety by the county or for the county under contract with a public or private entity. "Community corrections" includes, but is not limited to, preventive or diversionary correctional programs, pretrial release or conditional release programs, alternative sentencing or housing programs, electronic monitoring, residential treatment and halfway house programs, community correctional centers, temporary release programs from a facility for the detention or confinement of persons convicted of crimes and programs and services as required by section 1208-B, subsection 4, paragraph D (./34-A/title34-Asec1208-B.html). [PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

B. "County Corrections Professional Standards Council" or "council" means the council established pursuant to Title 5, section 12004-G, subsection 6-D (./5/title5sec12004-G.html). [PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

C. "Fund" means the County Jail Operations Fund established pursuant to subsection 2 (./34-A/title34-Asec1210-E.html). [PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

D. "Jail" means a county or regional jail for which the department is required to establish standards pursuant to section 1208 (./34-A/title34-Asec1208.html), 1208-A (./34-A/title34-Asec1208-A.html) or 1208-B (./34-A/title34-Asec1208-B.html). [PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

[PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

**2. County Jail Operations Fund.** The County Jail Operations Fund is established to provide funding for county jails and the regional jail. State funding must be appropriated annually for the fund in the amount of \$20,342,104 plus any additional amount the Legislature may appropriate. The department shall administer the fund and shall distribute funds to the jails in accordance with this section for the purposes set forth in subsections 3 (./34-A/title34-Asec1210-E.html) and 4 (./34-A/title34-Asec1210-E.html) and in accordance with the distribution formula set forth in subsection 9 (./34-A/title34-Asec1210-E.html).

[PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

**3. Community corrections; pretrial release program.** At least 25% of all funding provided under this section must be used by the county jails and regional jail for establishing, providing and maintaining community corrections



and programs and services required by section 1208-B, subsection 4, paragraph D (./34-A/title34-Asec1208-B.html). Jail programs and services must include a program, directly or through a contract with an organization, to supervise defendants subject to pretrial release conditions imposed pursuant to Title 15, section 1026, subsection 3, paragraph A (./15/title15sec1026.html), subparagraph (1) and such requirements as may be established by rule or order of the Supreme Judicial Court.

[PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

**4. Prisoner support.** The fund must be used to provide a portion of the counties' costs of the support of prisoners detained or sentenced to jail.

[PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

**5. Quarterly payments to counties.** The department shall distribute funding payable to the counties for operation of the jails quarterly if the jails have reported on a timely basis as required by subsection 6 (./34-A/title34-Asec1210-E.html) and rules adopted pursuant to subsection 7 (./34-A/title34-Asec1210-E.html). Failure to report as required may result in delayed payment of funds required to be paid by this section.

[PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

**6. Required reporting.** The county jails and the regional jail shall report to the department any data required by the council pursuant to section 1208-B, subsection 4, paragraph E (./34-A/title34-Asec1208-B.html), on the schedule and in the format required by the council. Failure of a jail to report as required may result in delayed quarterly payments to the counties as provided in subsection 5 (./34-A/title34-Asec1210-E.html) and as set forth by rule.

[PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

**7. Rulemaking.** The council shall adopt rules to implement the financial accounting, reporting and data collection systems and requirements necessary for implementing this section, including any data required to be collected pursuant to section 1208-B, subsection 5 (./34-A/title34-Asec1208-B.html). Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A (./5/title5ch375sec0.html).

[PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

**8. Surcharge.** In addition to the 14% and 5% surcharges collected pursuant to Title 4, section 1057 (./4/title4sec1057.html), an additional 1% surcharge must be added to every fine, forfeiture or penalty imposed by any court in this State, which, for the purposes of collection and collection procedures, is considered a part of the fine, forfeiture or penalty. All funds collected pursuant to this subsection are nonlapsing and must be deposited monthly in the fund.

[PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

**9. Formula; distribution.** The council shall establish a formula for the quarterly distribution described in subsection 5 (./34-A/title34-Asec1210-E.html). The department shall distribute quarterly to each county from the fund the amount due to that county as determined according to the formula. The formula must be based on the most recent fiscal year for which data is available for the county and must:

**A. Take into consideration total statewide county jail prisoner days for all jails;** [PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

**B. Take into consideration and assign to a jail the number of county jail prisoner days attributable to each prisoner who was charged with committing a crime in that county or who was committed to the custody of or**

detained by the sheriff of that county; and [PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

**C. Determine the proportion of statewide county jail prisoner days attributable to each county.** [PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

[PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

**10. Annual reporting to legislative committee.** By October 1st annually, the department in collaboration with a statewide association of county commissioners and a statewide association of sheriffs shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters regarding the following issues: county jail and regional jail funding through the General Fund, pursuant to Title 30-A, section 701 (../30-A/title30-Asec701.html) and from any other revenue sources; funding and operation of community corrections and programs and services required by section 1208-B, subsection 4, paragraph D (../34-A/title34-Asec1208-B.html) and this section; distribution of funding to the county jails and regional jail; jail reporting of revenues, expenses and populations as required by this section; the experiences of the counties in setting their tax assessments for correctional services under Title 30-A, section 701 (../30-A/title30-Asec701.html); and the adoption and implementation of rules specifying best practices, including mandatory standards, policies and procedures, under section 1208-B (../34-A/title34-Asec1208-B.html).

[PL 2021, c. 732, Pt. A, §3 (NEW); PL 2021, c. 732, Pt. A, §5 (AFF).]

#### SECTION HISTORY

PL 2021, c. 732, Pt. A, §3 (NEW). PL 2021, c. 732, Pt. A, §5 (AFF).

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.  
If you need legal advice, please consult a qualified attorney.

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