

Maine County Commissioners Association

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March 23, 2023

Sen. Margaret Rotundo, Chair
Rep. Melanie Sachs, Chair
Joint Standing Committee on Appropriations
& Financial Affairs
Maine State Legislature
100 State House Station
Augusta, ME 04333

Sen. Anne Beebe-Center, Chair
Rep. Suzanne Salisbury, Chair
Joint Standing Committee on Criminal Justice
and Public Safety
Maine State Legislature
100 State House Station
Augusta, ME 04333

Re: ***LD 258, General Fund Budget for FY24-25, Part A (p. 154), State Support for County Jail Operations – Supplemental Information***

Dear Sen. Rotundo, Rep. Sachs, and Members of the Appropriations and Financial Affairs Committee;
Sen. Beebe-Center, Rep. Salisbury, and Members of the Criminal Justice and Public Safety Committee:

Last month, our Association provided comments to the Committees regarding the amount of funds to be allocated to the County Jail Operations Fund to support county jail operations. In our February 14th letter, we suggested that the amount of money currently listed in the Budget should be increased to reflect inflation, subject to our efforts to develop a more formal projection of costs in the upcoming biennium. In the intervening weeks, we have worked to obtain granular data from each of the sixteen counties regarding jail expenditures, and this letter provides this historic expenditure data as well as projections for the state share in the upcoming biennium. Based on that information, we would ask the Legislature to consider amending this part of the Biennial Budget to reflect these newly projected numbers.

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.

Current Budget Proposal regarding County Jail Operations. In the proposed Budget presented to the Legislature, the County Jail Operations Fund is funded at \$20.4 million for FY24 and FY25. This amount reflects no increase from the prior biennium despite substantial annual increases in county jail operating costs.

The Legislature may increase the state share. Current state law states that the annual State contribution to the County Jail Operating Fund be set at \$20.4 million. Current law also provides that the Legislature may allocate additional funds.

Supplemental Comments of MCCA re LD 258, County Jail Expenditures

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Projection of County Jail Operating Costs. Last month, when our Association provided comments to the Legislature regarding county jail operating costs, we projected that costs would track inflation. Since that time, we have obtained jail funding data from each of the sixteen counties confirming that annual jail expenditures over the past four years appear to be tracking the current rate of inflation at 6.98% per year. We also analyzed the annual percentage represented by the state share of county jail expenditures over the past four years, and the state share averages to 20.27% per year. Utilizing the above figures, we calculated our recommendations for a state share for each year of the biennium, as shown in the table below.

	Projected Jail Expenditures	Projected State Share
2024	\$115,559,346	\$23,423,879
2025	\$122,555,588	\$24,842,018

How we arrived at these figures. The figures above are explained more fully in the attached spreadsheet that relies on the following assumptions:

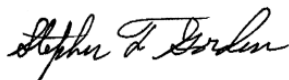
1. Actual county jail expenditures for the calendar years ending in 2020, 2021, and 2022 (most counties budget based on calendar years).
2. Budgeted jail expenditures for the calendar year ending 2023 (since this year is ongoing).
3. Projections of jail expenditures in the years 2024 and 2025. We derived these figures by calculating the average annual increase for the four years for which we have data (2020-23), and applying that average increase (6.98%) to the 2023 budget numbers to derive the 2024 data, and then applying that same percentage to the 2024 project to derive the 2025 projection.
4. Separately, we analyzed the average state share of county jail expenditures for the four years for which we have data, and this share averaged out to 20.27% per year. Using this average annual state share, we multiplied the 2024 and 2025 expenditure projections by 20.27% to arrive at a projected state share for the two years of the upcoming biennium.

In making these projections, we recognize that there are unforeseeable variables such as future inflation rates, incarceration rates, changes in law, and the like which would impact future county jail expenditures. However, since these variables cannot be predicted with any accuracy, we hope the data we have presented represents a meaningful projection of future jail expenditures.

What is the appropriate state share of county jail expenditures? County jails provide a service that meets the needs of counties and the entire State. Given these shared benefits, the State has historically made a financial contribution to county jail operations. Over time, these annual state contributions have increased to reflect inflation and other cost pressures. This approach is fair and helps ensure that the local property taxpayers who finance county operations are not disproportionately burdened as annual jail expenditures rise due to inflation. With this as a backdrop, we respectfully request that the current Biennial Budget be amended to maintain the state share that has been maintained in recent years.

Conclusion. Based on the new data provided in this letter, we respectfully request that the Biennial Budget be amended in Part A (p.154) to increase the state contribution to the County Jail Operating Fund to the amount of **\$23,423,879** for **FY2024** and **\$24,842,018** for **FY2025**. We appreciate your consideration of this data and information. If you have questions or need additional information, please do not hesitate to let us know.

Respectfully submitted,



Stephen Gorden
Chair, Legislative Policy Committee

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cc: Commissioner Randall Liberty, Maine Department of Corrections
MaryAnne Turowski, Senior Advisor, Office of Governor Janet Mills
Mary-Anne LaMarre, Maine Sheriffs Association
Rebecca Graham, Maine Municipal Association
Commissioner Richard A. Dutremble, President, MCCA
James I. Cohen, Verrill Dana, LLP, MCCA Legislative Counsel

Maine County Commissioner's Association
 Jail Funding 2020-2025
 March 23, 2023

	Actual	Actual	Actual	Budget	Projection	Projection
County/Year	2020	2021	2022	2023	2024	2025
Androscoggin	\$ 6,703,368	\$ 7,170,709	\$ 7,678,750	\$7,923,248		
Aroostook	\$ 3,811,977	\$ 3,868,954	\$ 4,124,484	\$4,657,006		
Cumberland	\$ 18,504,975	\$ 18,904,167	\$ 19,433,391	\$22,405,905		
Franklin	\$ 2,041,141	\$ 2,093,218	\$ 2,277,774	\$2,346,231		
Hancock	\$ 2,711,816	\$ 2,897,363	\$ 2,861,449	\$2,983,090		
Kennebec	\$ 8,066,286	\$ 9,059,300	\$ 9,541,394	\$9,881,291		
Knox	\$ 3,731,917	\$ 3,778,946	\$ 3,729,902	\$4,733,070		
Oxford	\$ 2,127,346	\$ 2,396,631	\$ 2,238,855	\$2,966,549		
Penobscot	\$ 10,753,942	\$ 11,424,881	\$ 13,571,604	\$13,620,084		
Piscataquis	\$ 1,592,041	\$ 1,549,120	\$ 1,586,213	\$1,913,916		
Somerset	\$ 7,096,563	\$ 6,915,405	\$ 7,448,290	\$9,271,304		
Two Bridges Regional Jail	\$ 6,350,991	\$ 6,011,632	\$ 6,131,623	\$6,807,385		
Waldo	\$ 3,089,211	\$ 2,825,660	\$ 3,084,409	\$3,649,410		
Washington	\$ 2,475,449	\$ 2,500,340	\$ 3,006,235	\$3,171,700		
York	\$ 9,276,816	\$ 9,544,546	\$ 10,812,746	\$11,689,391		
Total	\$ 88,333,839	\$ 90,940,872	\$ 97,527,119	\$108,019,580	\$115,559,346	\$122,555,588
Counties's Increase/yr %		2.95%	7.24%	10.76%	6.98%	6.98%
Avg. Annual Increase (County)	6.98%					
	\$18,500,000	\$18,500,000	\$20,400,000	\$20,400,000	\$23,423,879	\$24,842,018
% of State Funding for Jails	20.94%	20.34%	20.92%	18.89%	20.27%	20.27%
Average State Funding %	20.27%					