

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Restore Continuing Funding for the Maine Institute for Public Safety Innovation**

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

**Sec. 1. 4 MRSA §116, first ¶**, as repealed and replaced by PL 2003, c. 20, Pt. R, §1 and affected by §10, is amended to read:

All revenue received by the Supreme Judicial or Superior Court, whether directly or pursuant to an agreement entered into with the Department of Administrative and Financial Services, Bureau of Revenue Services, from fines, forfeitures, penalties, fees and costs accrues to the State, except as otherwise provided under ~~section~~sections 1057 and 1057-B; Title 7, section 3910-A; Title 12, sections 3055 and 4508; Title 17, section 1015; Title 23, section 1653; Title 29-A, section 2602; and Title 34-A, section 1210-A, subsection 9.

**Sec. 2. 4 MRSA §163, sub-§1**, as repealed and replaced by PL 2003, c. 20, Pt. R, §2 and affected by §10, is amended to read:

**1. District Court funds.** Except as otherwise provided by law, all fines, forfeitures, surcharges, assessments and fees collected in any division of the District Court or by the violations bureau must be paid to the clerk of that District Court, who shall deposit them in a special account in a timely manner. Once each month, the clerk shall remit the sums to the Treasurer of State, who shall credit them to the General Fund. At the same time, the clerk shall remit the sums that have been collected in accordance with ~~section~~sections 1057 and 1057-B; Title 5, chapter 316-A; Title 7, section 3910-A; Title 17, section 1015; Title 29-A, section 2411, subsection 7; and Title 34-A, section 1210-A, subsection 9. Funds received by the clerk as bail in criminal cases must be deposited daily in a special account. The clerk shall deposit the funds in an interest-bearing account unless the clerk determines that it is not cost-effective to do so. Interest accrued in the account is the property of and accrues to the State. The forfeiture and setoff of bail is governed as otherwise provided by law.

The court shall file a monthly report with the State Auditor itemizing the amount of fines, surcharges and assessments imposed and to whom each is payable.

**Sec. 3. 4 MRSA §1057-B** is enacted to read:

### **§ 1057-B. Maine Institute for Public Safety Innovation Surcharge Fund**

**1. Fund established.** There is established a nonlapsing fund to be known as the Maine Institute for Public Safety Innovation Surcharge Fund. The Treasurer of State shall maintain the fund for the purpose of funding the Maine Institute for Public Safety Innovation.

**2. Surcharge imposed.** In addition to the 14% and 5% surcharges collected pursuant to section 1057, a 2% surcharge must be added to every fine imposed by any court in this State, which for the purposes of collection and collection procedures is considered a part of the fine. All funds collected pursuant to this section must be deposited monthly in the Maine Institute for Public Safety Innovation Surcharge Fund. All funds collected pursuant to this section must be paid to the University of Maine System for the sole purpose of funding the Maine Institute for Public Safety Innovation.

**3. Report.** The Maine Institute for Public Safety Innovation shall annually report on or before July 1st to the joint standing committee of the Legislature having jurisdiction over criminal justice matters. The purpose of the report is to provide the Legislature with annual information, including descriptions of training and educational programs, program development and outreach and resource management.

## SUMMARY

This bill restores funding to the Maine Institute for Public Safety Innovation, formerly entitled the Maine Community Policing Institute, by reestablishing a 2% surcharge on all fines collected by the courts.