

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND TWELVE

—  
S.P. 603 - L.D. 1755

**An Act Regarding the Interstate Compact for Adult Offender Supervision**

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

**Sec. 1. 34-A MRSA §9887**, as enacted by PL 2005, c. 329, §13, is amended to read:

**§9887. Supervision fee**

The department may impose on a person accepted for supervision under this compact a supervision fee of between \$10 and \$50 per month, as determined by the department, for the term of supervision by the department. In determining the amount of the fee, the department shall take into account the financial resources of the person and the nature of the burden the payment imposes. A request for transfer of supervision may not be denied solely because the person is not able to pay the fee. When a person fails to pay the supervision fee, the department may request the person's return to the sending state unless the failure to pay was not attributable to the person's willful refusal to pay or to a failure on the person's part to make a good faith effort to obtain the funds required for the payment. Fees received by the department pursuant to this section must be deposited into the department's adult community corrections account, which may not lapse. Fees deposited pursuant to this section must be used to defray costs associated with the supervision of persons accepted for transfer, including, but not limited to, the purchase of materials and equipment for and operation of electronic monitoring and substance testing programs, the purchase of materials, equipment and training for probation officers and administrative costs.

**Sec. 2. 34-A MRSA §9887-A** is enacted to read:

**§9887-A. Application fee**

The department may impose on a person applying for transfer of supervision to another state under this compact an application fee of \$100. An application for transfer of supervision may not be denied solely because the person is not able to pay the fee. When a person fails to pay the application fee, the department may refuse to process the application unless the failure to pay was not attributable to the person's willful refusal to pay or to a failure on the person's part to make a good faith effort to obtain the funds

required for the payment. Fees received by the department pursuant to this section must be deposited into the department's adult community corrections account, which may not lapse. Fees deposited pursuant to this section must be used to defray costs associated with processing the applications for transfer, including, but not limited to, the purchase of materials, equipment and training for probation officers and administrative costs.

**Sec. 3. 34-A MRSA §9887-B** is enacted to read:

**§9887-B. Biological sample for DNA analysis**

A person accepted for supervision under this compact shall submit to having a DNA sample taken only if that person is convicted of a crime punishable by imprisonment for one year or more. The DNA sample may be taken at any time following commencement of the supervision period as directed by the person's probation officer. All other provisions of Title 25, chapter 194 govern the collection and use of the DNA sample as applicable.

**Sec. 4. Appropriations and allocations.** The following appropriations and allocations are made.

**CORRECTIONS, DEPARTMENT OF  
Adult Community Corrections 0124**

Initiative: Allocates supervision and application fee revenue dedicated to adult community corrections.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	\$242,920
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$242,920</b>

**CORRECTIONS, DEPARTMENT OF  
DEPARTMENT TOTALS**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$242,920</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$242,920</b>

**PUBLIC SAFETY, DEPARTMENT OF  
State Police 0291**

Initiative: Provides funding for supplies related to additional DNA samples.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	\$4,495
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$4,495</u>
<b>HIGHWAY FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	\$4,318
<b>HIGHWAY FUND TOTAL</b>	<u>\$0</u>	<u>\$4,318</u>
<b>PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$4,495</b>
<b>HIGHWAY FUND</b>	<b>\$0</b>	<b>\$4,318</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$0</b></u>	<u><b>\$8,813</b></u>
<b>SECTION TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$4,495</b>
<b>HIGHWAY FUND</b>	<b>\$0</b>	<b>\$4,318</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$242,920</b>
<b>SECTION TOTAL - ALL FUNDS</b>	<u><b>\$0</b></u>	<u><b>\$251,733</b></u>

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In House of Representatives, ..... 2012

Read twice and passed to be enacted.

..... Speaker

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In Senate, ..... 2012

Read twice and passed to be enacted.

..... President

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Approved ..... 2012

..... Governor