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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 513, L.D. 685, Bill, “An Act To Require Vegetable Gardens at State Prisons”

Amend the bill by striking out the title and substituting the following:

'An Act To Support Farm Programs at Department of Corrections Facilities'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 34-A MRSA §1403, sub-§7, as enacted by PL 1983, c. 724, is amended to read:

7. Establishment of farm programs and gravel mining programs to support farm programs at correctional facilities. The commissioner may establish a farm program at each correctional facility for the purposes of producing agricultural and farm products and teaching prisoners and juvenile clients cultivation and gardening techniques. The commissioner may also establish a gravel mining program at any correctional facility sited on land that contains sufficient gravel for the purpose of supporting the farm programs.

A. Products from ~~those~~ farm programs ~~shall~~ under this subsection must be used by correctional facilities. If a surplus exists, it may be:

- (1) Sold or distributed to other state, county or local governmental entities;
- (2) Exchanged with other state, county or local governmental entities for services or other goods; ~~or~~
- (3) Sold to or exchanged with private Maine businesses; or
- (4) Sold to or exchanged with community agencies as defined in section 1206, subsection 1.

B. The revenue generated by the sale of ~~those~~ farm products ~~shall~~ under this subsection must be deposited in a special account. This account ~~shall~~ does not lapse

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1 at the end of a fiscal year but ~~may~~ must be carried forward from year to year. ~~If the~~
2 ~~amount in the fund exceeds \$100,000, the excess in the account shall be transferred to~~
3 ~~the General Fund.~~

4 C. ~~These~~ The funds in ~~this~~ the special account under paragraph B may be expended
5 to implement and maintain farm programs in correctional facilities. These
6 expenditures include, but are not limited to, the purchase of necessary materials and
7 equipment, construction, administrative costs and employee salaries.

8 D. The commissioner may establish, for the purpose of supporting farm programs at
9 correctional facilities by generating additional revenue for the special account under
10 paragraph B, a gravel mining program at any correctional facility sited on land that
11 contains sufficient gravel. The commissioner shall determine the amount of gravel to
12 be mined. Gravel not used by correctional facilities may be sold, distributed or
13 exchanged in the same manner as farm products pursuant to paragraph A. In addition
14 to the expenditures allowed by paragraph C, the revenue generated from a gravel
15 mining program may be expended to implement and maintain gravel mining
16 programs in correctional facilities.

17 **Sec. 2. 34-A MRSA §1403, sub-§9, ¶A**, as enacted by PL 1985, c. 821, §21, is
18 amended to read:

19 A. The program may make services and goods available for use by correctional
20 facilities or for purchase by other state, county or local governmental entities, private
21 businesses in the State, community agencies, as defined in section 1206, subsection 1,
22 or the public.'

23 **SUMMARY**

24 This amendment changes the title and replaces the bill. The amendment allows the
25 establishment of a gravel mining program at any Department of Corrections facility with
26 sufficient gravel. The gravel mining program's primary purpose is to generate revenue to
27 support correctional facility farm programs. Gravel not sold by correctional facilities to
28 support farm programs may be sold, distributed or exchanged in the same manner as farm
29 products may be. The amendment also gives the Commissioner of Corrections authority
30 to use some of the revenue to support correctional facility gravel mining programs.

31 The amendment also amends the industries program provision to permit additional
32 ways to generate revenue from the sale of industries program services and products.
33 Specifically, the amendment authorizes the industries program to make services and
34 goods available for use by county or local governmental entities, private Maine
35 businesses or community agencies.