

Date:

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 9, L.D. 45, “An Act Allowing the Department of Corrections to Offset Some of the Costs of Technology Provided to Residents of Correctional Facilities”

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 34-A MRSA §1403, sub-§14 is enacted to read:

14. Technology fee. The commissioner may establish a reasonable fee, as provided in this subsection, for the use of technology, including, but not limited to, computers, laptop computers and external storage devices, that is provided to residents of correctional facilities in connection with educational or vocational programs, remote work or other purposes. For each calendar month in which the technology is used by a resident, as defined in section 3015, subsection 1, paragraph B, the fee charged may not exceed 7% of the money received by the resident, from any source, during the month after any deductions for court-ordered or statutory obligations, including, but not limited to, child support, court filing fees, victim restitution, fines, facility restitution, facility monetary sanctions, medical and dental services fees and room and board, or \$35, whichever is less. The commissioner may not charge a fee under this subsection for:

A. Technology that is provided to a resident for the purpose of research related to a criminal case or civil lawsuit in which the resident is involved; or

B. Technology that is provided to a resident who has received money totaling less than \$100, from any source, during the calendar month after any deductions that are provided for in this subsection.

Money received by the resident and directly deposited into a telephone call account established by the department under section 3039, subsection 4 for the sole purpose of paying for use of the department's client telephone system is not subject to this subsection. Money received by the resident as a credit improvement loan in accordance with section 3039, subsection 6 is not subject to this subsection.

A correctional facility shall collect any fees received under this subsection and deposit them into the Resident Technology Fund established in section 1220.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

Resident Technology Fund N383

Initiative: Establishes the Resident Technology Fund.

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
All Other	\$59,088	\$59,088
OTHER SPECIAL REVENUE FUNDS TOTAL	\$59,088	\$59,088

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which is the minority report of the committee, amends the bill by providing financial limits on the proposed technology fee that the Commissioner of Corrections may impose by requiring that the fee may not exceed 7% of the money received by a resident, from any source, for the calendar month in which the technology is used by a resident after accounting for the specified deductions or \$35, whichever is less. It also prohibits charging a technology fee to a resident who receives less than \$100, from any source, during the calendar month after any deductions are applied. The amendment clarifies that money received by the resident and directly deposited into a correctional facility telephone call account is not considered when calculating money received by a resident. Money received by a resident as part of a credit improvement loan is also not considered when calculating the money received by a resident. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)