

MAINE STATE LEGISLATURE

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(Filing No. H-646)

MAJORITY

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" 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 resident's earnings 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 earnings of less than \$100 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.

COMMITTEE AMENDMENT

ROS

1 **Sec. 3. Appropriations and allocations.** The following appropriations and
2 allocations are made.

3 **CORRECTIONS, DEPARTMENT OF**

4 **Resident Technology Fund N383**

5 Initiative: Establishes the Resident Technology Fund.

6 OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
7 All Other	\$38,598	\$38,598
8		
9 OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$38,598</u>	<u>\$38,598</u>

10
11 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
12 number to read consecutively.

13 **SUMMARY**

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

24 **FISCAL NOTE REQUIRED**

25 (See attached)

**132nd MAINE LEGISLATURE****LD 45****LR 171(02)****An Act Allowing the Department of Corrections to Offset Some of the Costs of Technology Provided to Residents of Correctional Facilities**

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-646)
Committee: Criminal Justice and Public Safety
Fiscal Note Required: Yes

Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
Appropriations/Allocations				
Other Special Revenue Funds	\$38,598	\$38,598	\$38,598	\$38,598
Revenue				
Other Special Revenue Funds	\$38,598	\$38,598	\$38,598	\$38,598

Fiscal Detail and Notes

The bill establishes the Resident Technology Fund within the Department of Corrections with Other Special Revenue Funds allocations to the department of \$38,598 beginning in fiscal year 2025-26 to offset the cost of providing and maintaining technology provided to residents of correctional facilities.

The bill also includes a revenue increase to the Department of Corrections of \$38,598 beginning in fiscal year 2025-26 to charge and collect technology fees from residents.