

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1693

H.P. 1128

House of Representatives, April 17, 2025

An Act to Establish a Sustainable Housing Development Prison Work Program

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MACIAS of Topsham.
Cosponsored by Representatives: BUNKER of Farmington, DEBRITO of Waterville,
HASENFUS of Readfield, LOOKNER of Portland, MILLIKEN of Blue Hill, RAY of
Lincolnville.

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

2 **Sec. 1. 34-A MRSA §3036-C** is enacted to read:

3 **§3036-C. Sustainable housing development work program**

4 **1. Establishment.** In accordance with the requirements of this section, the department,
5 in consultation with the Department of Labor and the Maine State Housing Authority, shall
6 establish and administer a sustainable housing development work program, referred to in
7 this section as “the program,” for eligible residents committed to the department. For the
8 purposes of this section, "resident" has the same meaning as in section 3015, subsection 1,
9 paragraph B.

10 **2. Eligibility.** The department shall establish eligibility standards for resident
11 participation in the program and shall ensure that residents participating in the program
12 accurately reflect the demographics of the general resident populations of all correctional
13 facilities.

14 **3. Purposes.** The program must be designed to:

15 A. Train participating residents in home construction and carpentry, renewable energy
16 installation, green building techniques, life skills, financial literacy and environmental
17 stewardship;

18 B. Establish partnerships with community colleges and trade organizations to offer
19 home construction-related certification programs to participating residents;

20 C. Facilitate the construction of homes by participating residents and others.

21 (1) A home constructed through the program must:

22 (a) Meet or exceed applicable energy efficiency standards under the Maine
23 Uniform Building and Energy Code under Title 10, chapter 1103; and

24 (b) Have at least 50% of its energy consumption provided by renewable energy
25 sources.

26 (2) Priority must be given to materials sourced from within the State in
27 constructing homes, and construction waste must be minimized by using
28 appropriate recycling programs.

29 (3) Homes constructed through the program must be owned by the State, through
30 the Maine State Housing Authority or other state entity as determined by the
31 commissioner; and

32 D. To the greatest extent possible, facilitate the acquisition of living arrangements for
33 residents who participated in the program in homes that were constructed under the
34 program upon completion of each resident’s sentence of imprisonment and release
35 from a correctional facility.

36 **4. Sentence deduction.** Notwithstanding any provision of law to the contrary, a
37 resident participating in the program is eligible for a deduction of one day from the
38 resident’s sentence of imprisonment for every 40 hours of work completed under the
39 program, with total deductions under this subsection not to exceed 25% of the resident’s
40 original sentence, subject to satisfaction of the following conditions, as determined by the
41 commissioner:

1 A. The resident has maintained a custody classification of minimum or lower and
2 demonstrated good conduct throughout the resident’s participation in the program; and

3 B. The resident has consistently met safety and quality standards in the resident's
4 completed work under the program.

5 **5. Sustainable Housing Development Work Program Fund; program funding.**

6 The Sustainable Housing Development Work Program Fund, referred to in this section as
7 “the fund,” is established within the department as a nonlapsing fund for the purpose of
8 receiving any funds to support the program. The department may accept money for deposit
9 into the fund from any source, public or private, and money in the fund may be used to
10 offset the costs of training and materials related to the program. The department shall seek
11 additional funding for the program through grants, private sector partnerships and federal
12 programs to support green energy and housing development.

13 **6. Program oversight committee.** The commissioner, in consultation with the
14 Department of Labor and the Maine State Housing Authority, shall establish a committee
15 to provide independent oversight of the program, including by monitoring the program’s
16 implementation and continued adherence to the requirements of this section and the rules
17 adopted by the department pursuant to subsection 8.

18 **7. Reporting.** On or before January 1, 2026, and annually thereafter, department shall
19 submit a report to the joint standing committee of the Legislature having jurisdiction over
20 criminal justice and public safety matters, which must include, but is not limited to, the
21 following information regarding the program: the training opportunities for residents
22 provided under the program, the number of homes built through the program, the green
23 building techniques integrated into those homes, sentence reductions provided through the
24 program, recidivism rates for residents who participated in the program and financial
25 expenditures related to the program. After reviewing the report, the committee may report
26 out to the Legislature related legislation.

27 **8. Rules.** The department, after consultation with the Department of Labor and the
28 Maine State Housing Authority, shall adopt rules as necessary to implement this section.
29 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,
30 chapter 375, subchapter 2-A.

31 **Sec. 2. Bureau of Revenue Services; sustainable housing development**
32 **prison work program tax credit.** The Department of Administrative and Financial
33 Services, Bureau of Revenue Services shall develop a proposal for implementation of a
34 refundable tax credit for persons donating materials or services to the sustainable housing
35 development work program established by the Department of Corrections pursuant to the
36 Maine Revised Statutes, Title 34-A, section 3036-C. The credit must be equal to 100% of
37 the market value of the documented materials or services provided to that program by a
38 person. By December 3, 2025, the bureau shall submit a report setting forth the tax credit
39 proposal, including necessary implementing legislation, along with any recommendations
40 to the Joint Standing Committee on Taxation. After reviewing the report, the committee
41 may report out related legislation to the Second Regular Session of the 132nd Legislature.

SUMMARY

This bill requires the Department of Corrections to establish and administer a sustainable housing development work program in consultation with the Department of Labor and the Maine State Housing Authority.

The program must be designed to train residents of the Department of Corrections in home construction techniques with an emphasis on green and renewable construction methods. It must also establish partnerships with community colleges and trade organizations to offer home construction-related certification programs to participating residents. Lastly, it must facilitate the construction of homes by the residents and other individuals participating in the program.

The homes must be constructed to meet or exceed applicable energy efficiency standards under the Maine Uniform Building and Energy Code and have at least 50% of their energy consumption provided by renewable energy sources. The program must give priority to construction materials sourced from within the State, and construction waste must be minimized by using recycling programs. Constructed homes must be owned by the Maine State Housing Authority or other state agency determined appropriate by the Commissioner of Corrections.

Participating residents are eligible for a sentence reduction of one day for every 40 hours of work completed under the program. Residents must also maintain a custody classification of minimum or lower during their participation in the program, and all work completed through the program must meet safety and quality standards as determined by the commissioner. Sentence reductions may not exceed 25% of a resident's total term of imprisonment.

The bill establishes a nonlapsing fund within the Department of Corrections for the purposes of supporting the program. The bill also requires the commissioner to establish an oversight committee, which must monitor the implementation of the program and the program's adherence to the provisions of the bill and any rules the commissioner establishes related to the program. The department is required to submit an annual report regarding the program starting January 1, 2026 to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters. The report must include how many homes have been built under the program, the adherence to renewable standards as required by the program, recidivism rates of residents participating in the program, the amount of sentence reductions applied and the cost of the program.

The bill also directs the Department of Administrative and Financial Services, Bureau of Revenue Services to develop a proposal for implementation of a refundable tax credit for persons donating materials or services to the program. By December 3, 2025, the bureau must submit a report setting forth the tax credit proposal, including necessary implementing legislation, along with any recommendations to the Joint Standing Committee on Taxation.