

MAINE STATE LEGISLATURE

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(EMERGENCY)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1445

H.P. 1097

House of Representatives, April 11, 1983

Submitted by the Department of Corrections pursuant to Joint Rule 24.
Referred to the Committee on Health and Institutional Services. Sent up
for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Manning of Portland.

Cosponsors: Representative Melendy of Rockland and Senator Gill of
Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-THREE

AN ACT to Allow Retailers to Sell
Prison Made Items.

Emergency preamble. Whereas, Acts of the Legis-
lature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

Whereas, current law does not permit the sale of
prison made items to retailers for resale; and

Whereas, there exists a substantial inventory of
the items and several retailers have expressed an
interest in purchasing the inventory; and

Whereas, in the judgment of the Legislature,
these facts create an emergency within the meaning of
the Constitution of Maine and require the following
legislation as immediately necessary for the preser-
vation of the public peace, health and safety; now,
therefore,

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

3 34 MRSA §555 is amended by adding the following
4 new paragraph to read:

5 Notwithstanding the language of this section, the
6 warden may authorize the sale of articles produced at
7 the prison and may authorize any person or business
8 entity purchasing articles from the prison to resell
9 those articles if the person or entity requests in
10 writing that authority from the warden at the time
11 the initial purchase is made.

12 Emergency clause. In view of the emergency
13 cited in the preamble, this Act shall take effect
14 when approved.

15 STATEMENT OF FACT

16 Currently, the statutes do not allow the prison
17 to sell articles made therein to retailers who wish
18 to resell those items to the general public. This
19 section authorizes the warden to allow retailers to
20 purchase articles for resale and also insures that
21 the warden can control the extent to which this
22 marketing approach is used.

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