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An Act To Implement the Recommendations of the Committee To Study the Prison Industries Program

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this Act needs to take effect before the expiration of the 90-day period in order for the Prison Industries Advisory Council to be established and begin its work as soon as possible in aiding the Department of Corrections in its effort to improve efficiencies and accountability in the prison industries program; 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 preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA §12004-I, sub-§4-B is enacted to read:

4-B.

Corrections

Not Authorized

34-A MRSA §3002-B

Prison Industries
Advisory Council

Sec. 2. 34-A MRSA §3002-B is enacted to read:

§ 3002-B. Prison Industries Advisory Council

1. Appointments. The commissioner shall appoint the 6-member Prison Industries Advisory Council, referred to in this section as "the council," as established by Title 5, section 12004-I, subsection 4-B. The term of office for members is 3 years. The initial appointments are:

- A. Three members for 3 years;
- B. Two members for 2 years; and
- C. One member for one year.

A replacement for a council member who does not complete the council member's term of office serves for the remainder of the unexpired term.

2. Council members. The council members must include at least 3 private sector representatives, each of whom is a business professional in the area of marketing, financial management, manufacturing or retail sales. In addition, council members must include 2 State Government representatives who work in the areas of prison security, labor or economic development. The commissioner shall also appoint one department employee to serve as a nonvoting member.

3. Duties. The council shall work in cooperation with managers of prison industries programs, prison security staff and the business community to identify methods to enhance programs and improve efficiency of operations, including at a minimum:

- A. Developing a business and marketing plan for prison industries;
- B. Developing recommendations to improve advertising and retail sales and exploring more diversified product lines;
- C. Reviewing the financial reporting and accounting systems and recommending a consistent and uniform format for all prison industries reporting;
- D. Making recommendations related to creating prison industries under the federal Prison Industry Enhancement Certification Program authorized by 18 United States Code, Section 1761(2006); and
- E. Reviewing the cost-benefit ratio of the prison industries programs.

4. Meetings; reports. The council shall meet at least quarterly, shall make interim recommendations and at least an annual report to the commissioner and shall send copies of all interim recommendations and reports to the members of the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective March 19, 2008.