
By: Delegates Poole, Snodgrass, Stup, Brinkley, Hecht, Getty, Stull, Donoghue, Elliott, Stocksdale, and McKee

Introduced and read first time: January 29, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Division of Correction Agricultural Pilot Program**

3 FOR the purpose of establishing the Division of Correction Agricultural Pilot Program;
4 requiring the Secretary of Public Safety and Correctional Services to select a
5 correctional institution as the location for the Program; requiring the Commissioner
6 of Correction to administer the Program; authorizing the Commissioner to employ
7 State prisoners for the Program; establishing the method of compensation to
8 prisoners for employment with the Program; requiring the Secretary to adopt
9 certain regulations; defining certain terms; and generally relating to the Division of
10 Correction Agricultural Pilot Program.

11 BY adding to

12 Article 27 - Crimes and Punishments
13 Section 726B through 726F to be under the new subheading "Division of Correction
14 Agricultural Pilot Program"
15 Annotated Code of Maryland
16 (1992 Replacement Volume and 1995 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article 27 - Crimes and Punishments**

20 **DIVISION OF CORRECTION AGRICULTURAL PILOT PROGRAM**

21 726B.

22 (A) IN THIS SUBHEADING THE FOLLOWING WORDS HAVE THE MEANINGS
23 INDICATED.

24 (B) "COMMISSIONER" MEANS THE COMMISSIONER OF CORRECTION.

25 (C) "SECRETARY" MEANS THE SECRETARY OF PUBLIC SAFETY AND
26 CORRECTIONAL SERVICES.

27 (D) "PROGRAM" MEANS THE DIVISION OF CORRECTION AGRICULTURAL
28 PILOT PROGRAM.

2

1 726C.

2 (A) THE SECRETARY, WITH THE ADVICE OF THE COMMISSIONER, SHALL
3 ESTABLISH THE DIVISION OF CORRECTION AGRICULTURAL PILOT PROGRAM.

4 (B) THE SECRETARY SHALL SELECT A CORRECTIONAL AND REFORMATORY
5 INSTITUTION DESCRIBED IN § 689 OF THIS ARTICLE AS THE LOCATION FOR THE
6 PROGRAM.

7 (C) (1) THE PROGRAM SHALL BE A PILOT PROGRAM TO ESTABLISH A SOURCE
8 OF FOOD OR FOOD INGREDIENTS FOR USE SOLELY WITHIN STATE CORRECTIONAL
9 AND REFORMATORY INSTITUTIONS.

10 (2) THE PROGRAM SHALL EMPLOY STATE PRISONERS TO PROVIDE THE
11 LABOR FOR THE PROGRAM.

12 726D.

13 (A) IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE SECRETARY,
14 THE COMMISSIONER SHALL ADMINISTER THE PROGRAM.

15 (B) THE COMMISSIONER MAY EMPLOY ANY STATE PRISONER THAT THE
16 DIVISION DETERMINES TO BE PHYSICALLY ABLE TO PERFORM THE WORK
17 REQUIRED BY THE PROGRAM.

18 (C) THE DIVISION SHALL CREDIT PAYMENTS TO STATE PRISONERS
19 EMPLOYED UNDER THIS SUBHEADING IN ACCORDANCE WITH REGULATIONS
20 ADOPTED BY THE SECRETARY REGARDING COMPENSATION FOR SERVICES
21 PERFORMED WITHIN THE PROGRAM. PAYMENTS SHALL BE CREDITED TO AN
22 ACCOUNT ADMINISTERED BY THE DIVISION FOR EACH EMPLOYED PRISONER AND
23 SHALL BE PAID TO THE PRISONER UPON RELEASE OR DISCHARGE, OR IN THE
24 DISCRETION OF THE DIVISION, PAID TO THE SPOUSE OR DEPENDENTS OF THE
25 PRISONER IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE SECRETARY.

26 (D) THE DIVISION SHALL PROVIDE TO ALL STATE PRISONERS EMPLOYED IN
27 THE PROGRAM, ADEQUATE SECURITY, TRANSPORTATION, LODGING, FEEDING,
28 CLOTHING, AND MEDICAL ATTENTION NECESSARY TO PERFORM THE WORK OF THE
29 PROGRAM.

30 726E.

31 ALL STATE PRISONERS EMPLOYED UNDER THE PROGRAM SHALL BE ENTITLED
32 TO THE SAME DEDUCTIONS OR ALLOWANCES FOR GOOD BEHAVIOR, OBSERVANCE
33 OF DISCIPLINE AND RULES AND FOR DILIGENT AND FAITHFUL LABOR, AND SHALL
34 BE SUBJECT TO THE SAME FORFEITURES OR PUNISHMENTS FOR THE LACK OR
35 VIOLATION OF RULES, AS PRISONERS ARE NOW ENTITLED OR SUBJECT TO UNDER
36 THE LAWS OF THE STATE.

37 726F.

38 THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THE
39 PROVISIONS OF THIS SUBHEADING.

3

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1996.