

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2004

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Legislative Document

No. 1821

H.P. 1344

House of Representatives, January 7, 2004

### **An Act To Increase the Amount of Restitution Allowed for State and Municipal Fire Service**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative DUPLESSIE of Westbrook.  
Cosponsored by Representative DAIGLE of Arundel, Senator BRYANT of Oxford and Representatives: BOWLES of Sanford, BULL of Freeport, CARR of Lincoln, HUTTON of Bowdoinham, SAVIELLO of Wilton, USHER of Westbrook, Senator: NASS of York.

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

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**Sec. 1. 12 MRSA §9321, sub-§6, ¶¶A and B,** as enacted by PL  
4 1991, c. 591, Pt. E, §10, are amended to read:

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A. The monetary award for restitution to a municipality may  
not exceed ~~\$2,000~~ \$25,000; and

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10 B. The total combined monetary award for restitution to  
municipalities and State Government may not exceed ~~\$10,000~~  
\$125,000.

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**SUMMARY**

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18 Current law provides that any person who engages in  
out-of-door burning in violation of the law or who fails to  
comply with any stated permit condition or restriction commits a  
Class E crime. If the State proves that while in violation that  
20 person's out-of-door fire resulted in fire suppression costs to  
municipalities or State Government, the court may order  
22 restitution to a municipality not exceeding \$2,000 and total  
restitution to municipalities and the State not exceeding  
24 \$10,000. This bill increases the limit on restitution to \$25,000  
for a municipality and \$125,000 for total restitution to  
26 municipalities and State Government.