

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
105TH LEGISLATURE

COMMITTEE AMENDMENT " A " to H.P. 911, L.D. 1256, Bill, "AN ACT to Provide for Forfeiture of Vehicles Used to Transport Narcotics."

Amend said Bill in that part designated "§2367-A" by striking out all of subsections 1 and 2 and inserting in place thereof the following:

'1. Vehicles subject to forfeiture. Any motor vehicle which is an instrumentality for the transportation of any substance, the possession or sale of which is unlawful under this chapter and chapter 558, is contraband and shall be subject to forfeiture to the State of Maine.

2. Motor vehicle defined. Motor vehicle as used in this section shall mean any self-propelled vehicle not operated exclusively on tracks, including motorcycles.'

Further amend said Bill in that part designated "§2367-A" by striking out in both the 2nd and 5th lines (same in L.D.) of subsection 3 the underlined word "shall" and inserting in place thereof the underlined word 'may'

Further amend said Bill in that part designated "§2367-A" in subsection 3, paragraph C, subparagraph (1), by inserting in the 3rd line (same in L.D.) after the underlined words and punctuation "control of the vehicle, if any," the underlined words and punctuation 'and to the mortgagee, and any other person known to have a proprietary interest in said vehicle,'

(Filing No. H-118)

Statement of Fact

The purpose of this amendment is to restrict the class of vehicles subject to forfeiture to motor vehicles, assure that only vehicles used as instrumentalities in the possessory and sale drug offenses shall be subject to forfeiture, and make the forfeiture provision discretionary rather than mandatory.

Reported by a Minority of the Committee on Judiciary.

Reproduced and distributed under the direction of the Clerk of the House.

4/8/71

(Filing No. H-118)