

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1205

6
7 H.P. 926

House of Representatives, March 15, 1983

8 Referred to the Committee on Legal Affairs. Sent up for concurrence and
9 ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Carrier of Westbrook.

Cosponsor: Representative Soule of Westport.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Enable Law Enforcement Agencies
18 to Dispose of Certain Property.
19

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

22 Sec. 1. 25 MRSA §3501, as enacted by PL 1975, c.
23 558, is amended to read:

24 §3501. Application of chapter

25 This chapter shall apply to all personal property
26 of which possession is transferred to a police
27 department or other law enforcement agency of the
28 State or any political subdivision thereof, under
29 circumstances supporting a reasonable belief that
30 such property was abandoned, lost or stolen, or
31 otherwise illegally possessed, except property seized
32 during search and retained and ultimately returned,
33 destroyed or otherwise disposed of pursuant to a

1 court order or some other law hereafter applicable to
2 specific property or circumstance. This chapter
3 shall apply to personal property seized during search
4 and retained which is not offered or admitted as evi-
5 dence and which, after retention by a police depart-
6 ment or other law enforcement agency, becomes aban-
7 doned.

8 Sec. 2. 25 MRSA §3503-A is enacted to read:

9 §3503-A. Disposal of firearms and ammunition

10 Notwithstanding any other provision of this chap-
11 ter, a police department or other law enforcement
12 agency retaining firearms and ammunition covered by
13 this chapter may, instead of selling at auction, use
14 and dispose of such firearms and ammunition in any
15 manner consistent with the interests and safety of
16 the public.

17 STATEMENT OF FACT

18 Currently law enforcement agencies are custodians
19 of certain unique types of property the disposal of
20 which is not adequately provided for by present stat-
21 utory provisions. Section 1 of the bill permits sale
22 at auction of items never coming within the custody
23 of the courts and for which the owners cannot now be
24 located, even though at the time the agency got cus-
25 tody of the items they were not abandoned, lost or
26 stolen, or otherwise illegally possessed.

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