

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 388

H.P. 268

House of Representatives, February 6, 1991

Submitted by the Judicial Department pursuant to Joint Rule 24.
Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CATHCART of Orono.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Provide Payment of Restitution to the Offices of the District Attorneys.



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

2
4 17-A MRSA §1326, as enacted by PL 1977, c. 455, §3, is amended to read:

6 **§1326. Time and method of restitution**

8 When restitution is authorized, the time and method of
10 payment or of the performance of the services shall must be
12 specified. Monetary ~~Except when the offender is placed on~~
~~probation, monetary compensation which--is--not--to--be--paid--in~~
~~installments--or--at--a--later--specified--time--shall--be--paid--to--the~~
~~clerk--of--the--court--having--jurisdiction--over--the--offender--must--be~~
14 ~~ordered paid to the office of the prosecuting attorney who is~~
~~prosecuting the case. If the offender is placed on probation,~~
16 ~~the compensation must be ordered paid to the Department of~~
~~Corrections, Division of Probation and Parole. In those cases,~~
18 ~~the--clerk~~ The agency receiving the restitution shall make the
20 disbursement to the victim or other authorized claimant. All
~~other--payments--and--disbursements--shall--be--made--by--the--appropriate~~
~~governmental--agency--or--institution--having--jurisdiction--or--custody~~
22 ~~of--the--offender.~~

24
26 **STATEMENT OF FACT**

28 This bill provides for the payment of all restitution to the
30 offices of the prosecuting attorneys or the Department of
32 Corrections, Division of Probation and Parole which are the
agencies that enforce payment of restitution.