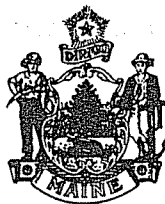


MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1410

H.P. 969

House of Representatives, April 3, 1991

Submitted by the Department of the Attorney General 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

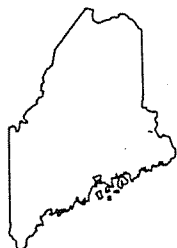
Presented by Representative MELENDY of Rockland.

Cosponsored by Representative CARROLL of Gray, Representative JOSEPH of Waterville
and Senator MILLS of Oxford.

STATE OF MAINE

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

An Act to Prevent Financial Gain by Convicted Drug Offenders.



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

2
4 17-A MRSA §1322, sub-§3, ¶D, as amended by PL 1989, c. 872,
§5 and c. 924, §13, is further amended to read:

6 D. "Property loss" means the value of property taken from
8 the victim, or of property destroyed or otherwise broken or
10 harmed. A property loss includes the value of taxes or
12 other obligations due to the government that have not been
14 paid. "Property loss" also includes, in cases involving a
16 violation of chapter 45, the value of money or other
18 consideration given or offered in exchange for scheduled
drugs by a law enforcement officer or another at the
direction of a law enforcement officer that are not, in
fact, recovered by the State at the time of sentencing,
regardless of whether other money or items of value are
sought, acquired or forfeited pursuant to Title 15, chapter
515.

20
22 **STATEMENT OF FACT**

24 This bill broadens the definition of "property loss" to
26 clarify the authority of the court to award restitution to law
enforcement agencies that fail to recover "buy money" or other
consideration from persons convicted of scheduled drug-related
criminal violations.