

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1536, L.D. 2169, Bill, "An Act to Ensure That Funds Collected from Restitution and Fines Are Deposited in Interest-bearing Accounts"

Amend the bill by striking out the title and substituting the following:

**'An Act to Ensure that Funds Collected from Restitution are Deposited in Interest-bearing Accounts'**

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

**'Sec. 1. 17-A MRSA §1326, as amended by PL 1991, c. 90, is further amended to read:**

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

When restitution is authorized, the time and method of payment or of the performance of the services must be specified. Except when the offender is placed on probation, monetary compensation may be ordered paid to the office of the prosecuting attorney who is prosecuting the case or to the clerk of the court. If the offender is placed on probation, the compensation may be ordered paid to the Department of Corrections, Division of Probation and Parole. The state agency receiving the restitution shall deposit any money received in the account maintained by the State Treasurer for deposit of state agency funds, from which funds are daily transferred to an investment account and invested. Interest accrued on that money is the property of and accrues to the State for deposit in the General Fund. The agency receiving the restitution shall make the disbursement to the victim or other authorized claimant as soon as possible after the agency receives the money.

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### FISCAL NOTE

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The deposit in the General Fund of interest accrued on restitution payments will increase undedicated General Fund revenue. The amount of this increase will be minor.'

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### STATEMENT OF FACT

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The amendment deletes the section of the bill requiring that District Court fines and fees be deposited in interest-bearing accounts. The amendment also changes the payment of interest on restitution money accounts, so that the interest accrues to the State, not to the person entitled to the restitution money. The amendment also requires agencies collecting restitution money to disburse the money to the victim or other authorized claimant as quickly as possible after the agency receives the money.

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The amendment also adds a fiscal note to the bill.

Reported by the Committee on Judiciary.

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

(3/13/92)

(Filing No. H-1112)