

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

No. 1738

H.P. 1263

House of Representatives, January 30, 1996

An Act to Require Prisoners to Pay Their Fair Share of Victim Restitution.

Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative WHEELER of Bridgewater. (GOVERNOR'S BILL)
Cosponsored by Senator BENOIT of Franklin and
Representatives: AHEARNE of Madawaska, BUNKER of Kossuth Township, CLARK of
Millinocket, CLUKEY of Houlton, GOOLEY of Farmington, JOY of Crystal, LAYTON of
Cherryfield, McALEVEY of Waterboro, O'NEAL of Limestone, PEAVEY of Woolwich,
PINKHAM of Lamoine, REED of Dexter, ROBICHAUD of Caribou, WATERHOUSE of
Bridgton.

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

2

4 **Sec. 1. 17-A MRSA §1330, sub-§2**, as repealed and replaced by
PL 1983, c. 793, §2, is amended to read:

6

8 **2. Payment of restitution from other sources.** Any
prisoner, other than one addressed by subsection 1, who is able
to generate ~~income~~ money, from whatever source, shall pay 25% of
that ~~income~~ money to any victim if the court has ordered that
10 restitution be paid. The correctional facility in which the
prisoner is incarcerated shall collect and disburse to the victim
12 or victims that portion of the prisoner's ~~income~~ money ordered as
restitution. If the victim or victims ordered by the court to
14 receive restitution have died or ~~cannot~~ can not be located, the
correctional facility shall inform the court that ordered
16 restitution. The court shall determine the distribution of these
funds.

18

20

STATEMENT OF FACT

22

24 This bill changes the language in the law that concerns the
payment of restitution by a prisoner to a victim from 25% of all
income of a prisoner to 25% of all money generated by the
prisoner, which may include nonincome sources of money, some of
26 which add up to substantial amounts.

28

30 This bill is modeled after the Maine Revised Statutes, Title
34-A, section 3032, which concerns restitution imposed as a
result of a prison disciplinary proceeding.