



118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1069

H.P. 781

House of Representatives, February 18, 1997

An Act to Require Prisoners in Correctional Facility Work Programs to Pay Court Fines.

Submitted by the Judicial Department pursuant to Joint Rule 204. Reference to the Committee on Criminal Justice suggested and ordered printed.

MOSEPH W. MAYO, Clerk

Presented by Representative MAILHOT of Lewiston.

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

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Sec. 1. 17-A MRSA §1330, sub-§1, as amended by PL 1989, c. 104, Pt. C, \S 8 and 10, is further amended to read:

Work program; payment of restitution and fines. б 1. No prisoner who has been ordered to pay restitution or fines may be a work program administered by 8 released pursuant to the Department of Corrections under Title 34-A, section 3035, or a sheriff under Title 30-A, section 1605, unless he the prisoner 10 consents to pay at least 25% of his the prisoner's gross weekly 12 wages to the victim or the court until such time as full restitution has been made or the fine is paid in full. The chief administrative officer of the correctional facility where the 14 prisoner is incarcerated shall collect and disburse to the victim or victims that portion of the prisoner's wages agreed to as 16 payment of restitution. The chief administrative officer of the correctional facility where the prisoner is incarcerated shall 18 also collect and disburse to the court that portion of the prisoner's wages agreed to as payment of fines after the 20 restitution is paid in full. If the victim or victims ordered by 22 the court to receive restitution have died or cannot be located, the correctional facility shall inform the court that ordered restitution. The court shall determine the distribution of these 24 funds.

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Sec. 2. 17-A MRSA §1330, sub-§2, as amended by PL 1995, c. 534, §1, is further amended to read:

- 30 2. Payment of restitution or fines from other sources. Any prisoner, other than one addressed by subsection 1, who is able to generate money income, from whatever source, shall pay 25% of 32 that meney income to any victim or the court if the court has restitution or a fine be paid. 34 ordered that The chief administrative officer of the correctional facility in which the 36 prisoner is incarcerated shall collect and disburse to the victim or victims that portion of the prisoner's meney income ordered as 38 restitution. The chief administrative officer of the correctional facility where the prisoner is incarcerated shall also collect and disburse to the court that portion of the 40 prisoner's income ordered as fines after the restitution is paid 42 in full. If the victim or victims ordered by the court to receive restitution have died or can not be located, the correctional facility shall inform the court that ordered 44 restitution. The court shall determine the distribution of these 46 funds.
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SUMMARY

This bill requires a prisoner in a work program to give 25% 52 of their gross weekly wages to pay court ordered fines. The chief administrative officer of the correctional facility shall 54 collect court ordered fines after any victim restitution is paid in full by the prisoner.

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