

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2298

S. P. 809

In Senate, January 3, 1974

Referred to the Committee on Judiciary. Sent down for concurrence and ordered sent forthwith.

HARRY N. STARBRANCH, Secretary

Presented by Senator Brennan of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT to Provide Investigators for the Several District Attorneys.

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

R. S., T. 5, § 203, amended. Section 203 of Title 5 of the Revised Statutes, as amended by section 20 of chapter 567 of the public laws of 1973, is further amended by adding at the end the following new paragraph:

The several district attorneys may employ such investigators as they deem necessary to aid in the preparation of cases to be presented before the courts of the State. In addition to aiding in the preparation of such cases, said investigators are vested throughout the State with the same powers and duties as the several sheriffs in the several counties of the State, to investigate and prosecute violators of any law of this State and to arrest the offenders thereof, and the same power and duty as sheriffs have to arrest without warrant and detain persons found violating or attempting to violate any other penal law of the State until a legal warrant can be obtained. Said investigators shall be under the direct control of and responsible to the district attorney by whom he is employed and shall serve at his pleasure.

The several investigators shall be provided with a distinctive badge which shall contain a replica of the Great Seal of the State and a designation as investigator for the respective prosecutorial district of the district attorney by whom he is employed.

Before entering upon the duties of their office, said investigators shall be sworn.

The investigators shall be compensated by the county commissioners of the county or counties of the prosecutorial district in an amount set by a majority of such commissioners.

If there is more than one county within a prosecutorial district, such compensation shall be prorated among the counties of the prosecutorial district according to the current valuation set by the State. Expenses which are necessary, just and proper for the performance of their official duties shall be allowed in a like manner and paid through the office of the district attorney which they serve. For payroll, insurance, tax and retirement purposes, the investigator shall be considered an employee of the county within the prosecutorial district having the largest population as arrived at by the current U.S. Census figures as of the date of his employment.

STATEMENT OF FACT

The purpose of this Act is to assure that the several district attorneys have at their disposal adequate manpower and means for proper investigations.