

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 438

H. P. 339

House of Representatives, February 8, 1979

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Rolde of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

**AN ACT to Compensate Police Officers for Testifying during Off Hours.**

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

**Sec. 1.** 4 MRSA § 173, sub-§ 4, 4th ¶, as last amended by PL 1975, c. 369, § 2, is further amended to read:

~~All sheriffs, deputy sheriffs or constables who officially appear for a scheduled trial in and for the District Court at times other than their regular working hours shall be compensated out of the General Fund and receive the same fee as any other witnesses. All municipal police officers so appearing at the order of a prosecuting official and whether or not they are called upon to give testimony shall be compensated out of the General Fund on an hourly basis equal to their present rate of employment. Notwithstanding any other provision of law, all~~ **All law enforcement officers, including sheriffs, deputy sheriffs, constables, municipal and state police officers,** appearing in District Court at times other than their regular working hours, at the order of a prosecuting official and whether or not they are called upon to give testimony, shall be compensated out of the General Fund ~~on an at a rate 1½ times the hourly basis equal to that established by the State rate~~ **at a rate 1½ times the hourly basis equal to that established by the State rate** for their range and step level. The District Court Judge shall determine and order such payment.

**Sec. 2.** 15 MRSA § 1320, first ¶, as enacted by PL 1975, c. 775, § 1, is amended by adding at the end a new sentence to read:

**All law enforcement officers, including sheriffs, deputy sheriffs, constables, municipal and state police officers, appearing in Superior Court at times other than their regular working hours, at the order of the prosecuting official and whether or not they are called upon to give testimony, shall be compensated at a rate 1½ times the hourly rate established for their range and step level.**

#### STATEMENT OF FACT

The purpose of this bill is to provide all law enforcement officers with time and ½ pay for testifying in District Court whenever it is not during their regular working hours.