

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)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

March 6, 1944

298

To Oscar L. Whalen, Esq.,
Eastport, Maine.

~~Dear Brother,~~

~~Your letter of the 15th addressed to the Attorney General was mailed to me for reply.~~

~~Just~~ By Chapter 269, P. L. 1943, Section 3, the law was amended as to State police officers and provides:

"As arresting officers, or aids, or witnesses in any criminal case, they shall be entitled to the same fee as any sheriff or deputy. Such fee shall be taxed on a bill of costs and shall accrue to the treasurer of the state."

By the same chapter, Section 6, the law was amended relating to fish and game wardens in the enforcement of the fish and game laws, and this also provides that

"All fees, penalties, officers' costs and all other moneys recovered by the court under any provision of this chapter shall accrue to the treasurer of the state and shall be paid into the treasury of the county where the offence is prosecuted."

With regard to the other inquiries I have got in touch with the various departments, that is, Inland Fisheries and Game and State Liquor Commission, and in each instance I was informed that where a warden or an inspector for the Liquor Commission is a witness in a case outside the scope of the act which he is enforcing, he is required by rule and regulation of that department to receive the witness fee and turn it over to the department with which he is connected.

I think that by the amendment to which I have referred, the law has been sufficiently clarified so that there should be no misunderstanding as to the disposition of witness fees. In the cases where by rule or regulation the officer is required to turn the money over to his department, he understands the disposition to be made of these fees.

~~Very truly yours,~~

Abraham Breitbard
Deputy Attorney General