

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)

ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 649

H. P. 496

House of Representatives, January 27, 1965

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

JEROME G. PLANTE, Clerk

Presented by Mr. Dudley of Enfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Relating to Payment of Certain Expenses in District Court Cases.

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

Sec. 1. R. S., T. 4, § 168, amended. The last sentence of section 168 of Title 4 of the Revised Statutes is amended to read as follows:

'The cost of such examination, **including expert witness fees**, shall be paid ~~from the treasury of the county in which the action is pending by the District Court.~~

Sec. 2. R. S., T. 4, § 173, amended. The 5th, 4th and last paragraphs from the end of section 173 of Title 4 of the Revised Statutes are amended to read as follows:

'Municipalities shall be reimbursed by the ~~county~~ **District Court** for all reasonable expenses incurred by police officers and constables for travel within the State between their employing municipality and any other place within the State when such travel is as a consequence of an arrest, or for the purpose of making an arrest on a criminal warrant or to commit and transport a person to any jail or institution within the State.'

'The ~~county~~ **District Court** upon the approval of the county attorney shall pay the municipality for reasonable expenses incurred by the latter's law enforcement officers for out of state travel involving a crime for which the law provides for extradition of the offender. The Treasurer of State, except in the case of a municipal ordinance violation, shall pay the municipality \$4 each time one of the latter's law enforcement officers duly signs, as arresting officer, the return of a criminal warrant, issued by the District Court. Such fees shall be paid only upon final disposition of the case and only in those cases in which the sentence imposed, or a portion thereof, includes the imposition of a fine. In the event of

an appeal from the decision of the District Court no such fees are to be paid except when such appeal is withdrawn and the original sentence is imposed by the District Court. Neither the county nor the Treasurer of State shall be required to pay any fee for the services or expense of any municipal law enforcement officer before such a court in any criminal proceeding as an aid, as a witness or in any other capacity.'

'In cases involving criminal liability for nonsupport of dependent children who are wards of the State and of dependent children who are recipients of aid from the State as such dependent children, expense incurred for travel shall be borne ~~between the county and~~ by the State, but shall not be a charge against the District Court Fund, in the proportion that the expense of public aid involved is borne between the municipality concerned and the State. Neither the court nor the Treasurer of State shall be required to pay any fee for the services or expense of any other law enforcement officer before such courts in any criminal proceeding as arresting officer, as an aid, as a witness or in any other capacity.'