

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
105TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT " A " to S. P. 712, L. D. 1986, Bill,  
"AN ACT Relating to Revenue Sharing and Financial Relief to Counties  
for Expenses of the Superior and Supreme Judicial Courts."

Amend said Bill in section 4 by striking out all of the first  
3 lines (2 lines in L. D.) and inserting in place thereof the following:

'Sec. 4. R. S., T. 4, §§115 and 116, additional. Title 4 of  
the Revised Statutes is amended by adding 2 new sections to read as  
follows:'

Further amend said Bill in section 4 in that part designated  
"§115." by striking out all of the last underlined paragraph.

Further amend said Bill in section 4 by striking out all of  
that part designated "§116."

Further amend said Bill in section 4 by renumbering that part  
designated "§117." to be '§116.'

Further amend said Bill by inserting after section 4 the following:

'Sec. 5. R. S., T. 4, §163, repealed and replaced. Section  
163 of Title 4 of the Revised Statutes, as amended, is repealed  
and the following enacted in place thereof:

§163. Court funds

1. Court Fund. Except as otherwise provided by law, all fines,  
bail forfeitures and fees collected in the District, Superior and  
Supreme <sup>Judicial</sup> Courts shall be paid to a clerk thereof, who shall deposit  
them in a special account within 72 hours of their receipt. Once  
each month, he shall remit such sums to the Treasurer of State,  
who shall credit them to the Court Fund. Every clerk of the District

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Court shall give bond to the State in such sum and with such sureties as the Chief Judge shall approve, conditioned that he will, during his continuance in office, faithfully perform, as the law requires, all his duties relating to the collection and payment over of all fines, fees and forfeitures which may come into his hands by virtue of his office.

2. Expenses. The Treasurer of State shall pay all sums of money produced by cases in the District, Superior and Supreme Judicial Courts which shall become due to state departments and agencies, municipalities, and state, county and municipal offices.

3. District Court Building Fund. After paying such expenses or providing sufficient reserves for their payment, the Treasurer of State shall establish a special "District Court Building Fund" to be used solely for the building, remodeling and furnishing of quarters for the District Court, as determined and certified by the Chief Judge. The sum of \$3,000 per month shall be deposited in this fund until the Chief Judge certifies to the Treasurer of State that physical facilities for the District Court throughout the State are such that further deposits in said special building fund are no longer necessary.

4. Allocation of balance. The Legislature shall allocate the balance remaining after paying the expenses incurred as set forth in subsections 2 and 3 to the District, Superior and Supreme Judicial Courts to finance their operations for the next biennium.

Sec. 6. R. S., T. 4, §173, sub-§4, amended. The 3rd paragraph from the end of subsection 4 of section 173 of Title 4 of the Revised

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Statutes, as amended, is further amended to read as follows:

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 ~~District Court Fund until July 17, 1969, and thereafter the General~~ Court 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~~ Court Fund on an hourly basis equal to their present rate of employment. The District Court Judge shall determine and order such payment.'

Further amend said Bill in section 6 by striking out in the last 4 lines (same in L. D.) the punctuation and words ", and shall pay the whole amount of the same to the ~~treasurers of their respective counties~~ Treasurer of State quarterly on the 15th days of January, April, July and October of each year." and inserting in place thereof the following: '~~and shall pay the whole amount of the same to the treasurers of their respective counties quarterly on the 15th days of January, April, July and October of each year.~~'

Further amend said Bill in section 7 by striking out all of the first paragraph after the amending clause and inserting in place thereof the following: 'The clerk shall keep a true and exact account of all moneys which he receives or is entitled to receive for services by virtue of his office as clerk of the Superior or Supreme Judicial Courts and shall pay the same to the county treasurer for use of the county in the manner required by law

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Treasurer of State as provided in Title 4, section 163. All other moneys belonging to the county shall be paid in 30 days after they are received by him. If in either case he neglects to do so, he shall pay 25% interest thereon until paid. ~~The-county-treasurer shall-notify-the-Treasurer-of-State~~ Upon the county treasurer's or Treasurer of State's notice of any such known delinquency and, the clerk's bond shall then be sued.'

Further amend said Bill by renumbering sections 5 to 30 to be sections 7 to 32.

Statement of Fact

The purpose of this amendment is to utilize all funds derived from the District, Superior and Supreme Judicial Courts to operate the entire court system.

Reported by the Committee on COUNTY GOVERNMENT.

Reproduced and distributed pursuant to Senate Rule No. 11A.

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