

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
107TH LEGISLATURE  
FIRST SPECIAL SESSION

(Filing No. H-1016)

COMMITTEE AMENDMENT "A" to H.P. 1866, L.D. 2037, Bill,  
"AN ACT To Clarify Various Statutes Relating to Superior Court Fees  
and Costs."

Amend said Bill in section 1 by striking out that part designated  
"§1319." and inserting in place thereof the following:

'§1319. Authorization of payments by a prosecuting attorney.

For purposes of this chapter, where a prosecuting attorney is permitted to authorize payment of fees or expenses incurred on behalf of the State in a criminal prosecution, payment of those fees and expenses shall be made by the proper authorities to the persons, municipalities or agencies to whom the payment is authorized upon certification to those authorities by the prosecuting attorney or his designee that the payment is reasonable and necessary to the prosecution of a given criminal case.'

Further amend said Bill in section 1 by striking out that part designated "§1320." and inserting in place thereof the following:

'§1320. Authorization of payment of witness fees of state witnesses in criminal prosecutions

In all criminal prosecutions in the Superior Court, payment of witness fees for state witnesses, fees and expenses payable on

account of the services of police officers as witnesses and as complainants, and fees and expenses payable on account of the services of police officers in serving criminal process shall be made upon authorization by the prosecuting attorney or his designee. The amount of the fees and expenses shall be determined in accordance with these statutes.

1. Payments. Payments made hereunder shall be made from the county treasury, unless otherwise expressly directed by law and the payments shall be made from the sums set aside in the county budget for the payments on account of Superior Court criminal proceedings.

2. Expenditures. In fixing the amount of direct expenditures by the counties in calendar year 1975 for the support of the Superior Court pursuant to Title 4, section 118, the Treasurer of State shall not consider sums expended in criminal prosecutions in the Superior Court on account of witness fees for state witnesses, fees and expenses payable on account of the services of police officers as witnesses and as complainants, and fees and expenses payable on account of the services of police officers in serving criminal process.'

Statement of Fact

The purpose of this amendment is to clarify the Bill by amendment to more clearly delineate what expenses and costs should be considered as being witness fees.

Reported by the Committee on Judiciary.  
Reproduced and distributed under the direction of the Clerk of  
the House.  
3/22/76

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