

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)

STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-244)
109TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "C" to H.P. 346, L.D. 445, Bill, "AN ACT to Extend Collective Bargaining Rights to Deputy Sheriffs."

Amend the Bill by striking out all of the title and inserting in its place the following:

'AN ACT to Extend Collective Bargaining Rights to Deputy Sheriffs and to Let Others Serve Process.'

Further amend the Bill by inserting after the enacting clause the following:

'Sec. 1. 14 MRSA §702 is amended to read:

§702. Duty of sheriffs, deputies and process servers; fees

Every sheriff and, each of his deputies and any person authorized by court rule or order shall serve and execute, within his county, all writs and precepts issued by lawful authority to him directed and committed, including those in which a town, plantation, parish, religious society or school district, of which he is at the time a member, is a party or interested, but his legal fees for service shall first be paid or secured to him; and if they are not when the process is delivered to him, he shall forthwith return it to the plaintiff or attorney offering it; or if sent to him by mail or otherwise, he shall put it into some post office within 24 hours, directed to the person sending it; otherwise he waives his right to his fees before service.'

Further amend the Bill by inserting at the beginning of the first line after the enacting clause the underlined abbreviation and figure 'Sec. 2.'

Further amend the Bill by inserting before the Statement of Fact the following:

'Sec. 3. 30 MRSA §1051, first sentence, is amended to read:

Sheriffs and, their deputies and any person authorized by court rule or order shall receive the following fees:

Sec. 4. 30 MRSA §1051, sub-§10, as amended by PL 1967, c. 375, §2, is further amended to read:

10. Search for persons to serve. Sheriffs and, their deputies and any person authorized by court rule or order shall made make a charge of \$2, plus necessary travel, for making diligent search for persons upon whom they are commended to serve civil process when such party cannot be located at an address given to said sheriff or his deputy by the plaintiff or his attorney when commanding such service to be made;

Statement of Fact

This amendment authorizes others, besides sheriffs and their deputies, to serve process.