

MAINE STATE LEGISLATURE

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L.D. 1384

(Filing No. H-202)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1026, L.D. 1384, Bill, "AN ACT Relating to Private Citizens being Reimbursed by Local Police Departments in Certain Prosecutions."

Amend the bill in that part designated "§806-A." in the first paragraph in the 2nd line (page 1 line 11 in L.D.) by striking out the underlined words "po-lice department" and inserting in their place the un-derlined words 'law enforcement agency'

Further amend the bill in that part designated "§806-A." in the 2nd paragraph by striking out all of the 2nd underlined sentence (page 2, lines 7 to 12 in L.D.) and inserting in its place the following:

'Reimbursement under this section may not exceed \$500. Recovery of any reimbursement under this section shall bar any other civil action by the criminal defendant against a law enforcement officer or a state, county, municipality or other political unit based on the same facts.'

Further amend the bill by inserting at the end before the statement of fact the following:

'FISCAL NOTE

If enacted, this bill could result in a cost to the General Fund and the Highway Fund if any state trooper is found to have conducted an arrest in bad faith. Although the exact amount of the potential costs cannot be determined at this time, the amount of liability would be limited to a maximum of \$500 in each instance.'

COMMITTEE AMENDMENT "A" to H.P. 1026, L.D. 1384

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STATEMENT OF FACT

2 This amendment limits the recovery possible under
3 the bill to a maximum of \$500. It also clarifies
4 that any law enforcement agency, whether local or
5 state, may be found liable under the bill and pre-
6 vents any further legal action against the law en-
7 forcement officer, the State or a political subdivi-
8 sion of the State based on the same facts for which
9 the defendant obtains reimbursement under the bill.
10 Finally, the amendment adds a fiscal note to the
11 bill.

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Reported by the Committee on Judiciary
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