

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)



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 472

H.P. 353

House of Representatives, February 27, 1989

Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

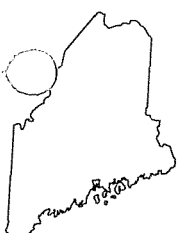
EDWIN H. PERT, Clerk

Presented by Speaker MARTIN of Eagle Lake.
Cosponsored by Senator BERUBE of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act Concerning Service of Civil Process by Full-time Law
Enforcement Officers.



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

3 **Sec. 1. 30-A MRSA §386, sub-§1**, as enacted by PL 1987, c. 737,
Pt. A, §2 and Pt. C, §106, is amended to read:

5 1. **Full-time deputies.** Full-time deputies shall be
7 compensated at a rate of at least \$21 per day, based on a 7-day
9 work week, or at a rate of at least \$23 per day, based on a 7-day
work week, if the deputy has:

11 A. An associate degree in criminal justice, with an
13 emphasis on law enforcement from an accredited college or
university; or

15 B. Successfully completed the basic training course at the
17 Maine Criminal Justice Academy or its equivalent, as
determined by the board of trustees of the academy and has
19 served at least 3 years as a full-time law enforcement
officer in the preceding 4 years.

21 The minimum compensation rate does not apply to any deputy
23 sheriff who is in a probationary period or who is undergoing
disciplinary action.

25 The respective county commissioners shall establish the
27 compensation of full-time deputies for their county. The
29 respective county treasurers shall pay the compensation, together
with those incidental expenses which are necessary for the proper
enforcement of the laws.

31 All fees received by full-time deputies for the service of civil
33 process while on duty are deemed fees for the use of the county
and shall be paid to the county treasurer for the use and benefit
of the county.

35 **Sec. 2. 30-A MRSA §421**, as enacted by PL 1987, c. 737, Pt. A,
37 §2 and Pt. C, §106, is amended by adding at the end a new
paragraph to read:

39 A full-time deputy, whether or not paid a salary, shall
41 receive the fees listed in this section for the service of civil
43 process if made while not on duty.

45

STATEMENT OF FACT

1
3
5
7

This bill allows all full-time deputies to keep the fees they are paid for service of civil process and other services, as long as those services are performed while off duty. Services performed while on duty are not compensable if the deputy is paid a salary.