

# MAINE STATE LEGISLATURE

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A. OF S

L.D. 1537

(Filing No. S- 345)

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STATE OF MAINE  
SENATE  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 584, L.D. 1537, Bill, "An Act Relating to Sheriff's Fees for Civil Orders of Arrest"

Amend the bill by striking out all of sections 1 to 3 and inserting in their place the following:

Sec. 1. 14 MRSA §3135, last ¶, as enacted by PL 1987, c. 184, §18, is amended to read:

Unless the judgment debtor shows good cause for his failure to appear after being duly served with a disclosure subpoena under section 3123 or a contempt subpoena under section 3136, the debtor shall ~~must~~ be ordered to pay the costs of issuing and serving the civil order for arrest. The costs of issuing and serving the civil order for arrest shall ~~be~~ are \$25 plus mileage at a rate of ~~21¢~~ 22¢ per mile. The fee payable to sheriffs and their deputies for civil orders for arrest is governed by Title 30-A, section 421, subsection 6.

Sec. 2. 30-A MRSA §421, sub-§6, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

6. Civil arrests and custody. For civil arrests, ~~-\$5- for the arrest and \$5- shall be charged for~~ and custody under the arrest, including arrest and custody under paternity proceedings, \$25 plus mileage at a rate of 22¢ per mile;

2 Further amend the bill by renumbering the sections to read  
consecutively.

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**STATEMENT OF FACT**

8 This amendment deletes the provision of the bill requiring  
judgment creditors to make a good faith effort to determine  
10 whether judgment debtors have assets to satisfy a judgment before  
the court will require the judgment debtor to pay the costs of  
serving the civil order of arrest. This amendment also makes the  
12 sheriff's fee for serving a civil order of arrest consistent in  
the Maine Revised Statutes, Title 14 and Title 30-A and sets the  
14 fee at \$25 plus mileage at a rate of 22¢ per mile.

Reported by Senator Mills for the Committee on Legal Affairs.  
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(6/11/91) (Filing No. S-345)