

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 713

H.P. 529

House of Representatives, February 25, 1993

**An Act to Exclude Law Enforcement Agencies in Cumberland County
from the Laws Requiring a Single-warrant Repository.**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LARRIVEE of Gorham.
Cosponsored by Representatives: CARROLL of Gray, CLOUTIER of South Portland, Senator:
ESTY of Cumberland.

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

2 Sec. 1. 15 MRSA §603, as enacted by PL 1991, c. 402, §2, is
4 amended to read:

6 **§603. Warrant repository**

8 ~~The Except for Cumberland County,~~ the district attorney of
10 each court district shall designate, with the approval of the
12 resident District Court Judge, at least one law enforcement
14 agency that is responsible for the maintenance, administration
16 and retention of attested copies of arrest warrants issued by the
18 courts. If a court district encompasses more than one
20 prosecutorial district, the respective district attorneys shall
22 attempt to agree on the designation of an arrest warrant
24 repository. If the district attorney of a court district fails
26 to designate an arrest warrant repository or the district
28 attorneys are unable to agree to the designation of an arrest
warrant repository for a court district, the Attorney General
shall make the designation for that court district. The district
attorney or attorneys shall notify the District Court and the
Superior Court of the location of the arrest warrant repository
for arrest warrants in the jurisdiction covered by those courts.
All attested copies of arrest warrants issued by the District
Court and the Superior Court must be directed to the arrest
warrant repository designated for those courts except as
otherwise provided by this chapter or by the standards adopted by
rule of the Attorney General pursuant to this chapter.

30 Sec. 2. 15 MRSA §604, first ¶, as enacted by PL 1991, c 402,
32 §2, is amended to read:

34 -A- ~~Except in Cumberland County,~~ a district attorney shall
36 select an agency that meets the following minimum characteristics
to act as an arrest warrant repository.

38 Sec. 3. 15 MRSA §604-A is enacted to read:

40 **§604-A. Warrants in Cumberland County**

42 Arrest warrants issued on application of a law enforcement
44 agency in Cumberland County must be returned to that law
enforcement agency and retained by that agency.

46 The law enforcement agency shall operate as the repository
48 for its own warrants under the standards of section 605, except
that subsections 1 to 3 and 11 of that section, and of standards
adopted to effectuate those subsections do not apply.

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STATEMENT OF FACT

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6 This bill exempts Cumberland County from the requirement for
8 a single-warrant repository and provides that each law
10 enforcement agency in Cumberland County must act as the
 repository for its own warrants. Portions of the standards that
 apply to single-warrant repositories are made applicable to law
 enforcement agencies in Cumberland County.