

§224-A. Extradition and Prosecution Expenses Account

1. Establishment; use. Notwithstanding any provision of law to the contrary, there is established an Extradition and Prosecution Expenses Account in each prosecutorial district in an amount not to exceed \$30,000, to be administered by the district attorney and to be used solely for the purposes of paying the expenses of extraditing persons charged with or convicted of a crime in this State and who are fugitives from justice, as defined in section 201, subsection 4, paying fees or expenses of prosecution pursuant to section 1319, paying witness fees pursuant to section 1320 and paying for examination fees or expenses pursuant to Title 34-B, section 3862-A, subsection 6, paragraph D, subparagraph (3).

[PL 2019, c. 411, Pt. C, §1 (AMD); PL 2019, c. 411, Pt. D, §3 (AFF).]

2. Funding. The Extradition and Prosecution Expenses Account in each prosecutorial district is funded by bail forfeited to and recovered by the State pursuant to the Maine Rules of Unified Criminal Procedure, Rule 46. Whenever bail is so forfeited and recovered by the State and if it is not payable as restitution pursuant to Title 17-A, section 2015, subsection 4, the district attorney shall determine whether it or a portion of it is deposited in the Extradition and Prosecution Expenses Account for that district attorney's prosecutorial district, but in no event may the account exceed \$30,000. Any bail so forfeited and recovered and not deposited in the Extradition and Prosecution Expenses Account must be deposited in the General Fund. Any unexpended balance in the Extradition and Prosecution Expenses Account of a prosecutorial district established by this section may not lapse but must be carried forward into the next year.

[PL 2019, c. 113, Pt. C, §29 (AMD).]

3. Review by district attorney. The district attorney shall review monthly the Extradition and Prosecution Expenses Account and the expenses of that prosecutorial district in connection with the extradition of fugitives from justice, prosecution and witnesses and shall determine whether any funds in the account must be transferred to the General Fund.

[PL 2013, c. 566, §3 (AMD).]

4. Audit. Every district attorney shall have an annual audit made by the Office of the State Auditor or by a certified public accountant selected by the district attorney of the Extradition and Prosecution Expenses Account for that district attorney's prosecutorial district, covering the last complete fiscal year.

If the auditor finds in the course of the audit evidence of improper transactions, incompetency in keeping accounts or handling funds, failure to comply with this section or any other improper practice of financial administration, the auditor shall report that finding to the Attorney General immediately.

[PL 2013, c. 566, §3 (AMD).]

5. Advances and accounting for extradition. The district attorney shall advance funds from the Extradition and Prosecution Expenses Account to the agents designated by the district attorney to return a fugitive from justice to this State. A full accounting of all expenses and the return of all unused funds must be made by the agents no later than 3 business days from the date of return. All funds returned must be credited to the Extradition and Prosecution Expenses Account from which they were paid.

[PL 2013, c. 566, §3 (AMD).]

SECTION HISTORY

PL 1983, c. 843, §11 (NEW). PL 1983, c. 862, §42 (AMD). PL 1991, c. 377, §7 (AMD). PL 1995, c. 447, §§1-3 (AMD). PL 2007, c. 31, §1 (AMD). PL 2013, c. 16, §10 (REV). PL 2013, c. 566, §3 (AMD). PL 2015, c. 431, §5 (AMD). PL 2019, c. 113, Pt. C, §29 (AMD). PL 2019, c. 411, Pt. C, §1 (AMD). PL 2019, c. 411, Pt. D, §3 (AFF).

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