

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)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

Kennebec Journal
Augusta, Maine
1979

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND NINTH LEGISLATURE
1979

deputy in December and May of each year and special meetings at such other times and places as would seem advisable.

5. **Officers.** At the meeting held in May of each year, the council may elect One of its members as chairman and one as vice chairman.

Sec. 2. Transition provision. Present members of the council shall serve until the expiration of their terms. After the effective date of this Act, appointments may be made for any management unit not then represented on the advisory council, except that the total number of council members shall not exceed the total number of management units.

Sec. 3. Effective date. This Act shall become effective on January 1, 1980.

Effective January 1, 1980

CHAPTER 256

H. P. 49 — L. D. 58

AN ACT to Clarify the Filing Deadline for Candidates' Reports to the Commission on Governmental Ethics and Election Practices.

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

Sec. 1. 21 MRSA § 1397, sub-§ 3, ¶ F, as repealed and replaced by PL 1977, c. 589, § 2, is amended by adding after the first sentence a new sentence to read:

The reports may either be filed in person with the commission on that date, or postmarked by that time on that date.

Sec. 2. 21 MRSA § 1397, sub-§ 4, ¶ D, as repealed and replaced by PL 1977, c. 589, § 3, is amended by adding at the end a new sentence to read:

The reports may either be filed in person with the commission on that date, or postmarked by that time on that date.

Effective September 14, 1979

CHAPTER 257

S. P. 470 — L. D. 1418

AN ACT Relating to Appointment of Bail Commissioners and to Lessen the Burden upon Sheriffs and the Court for "Prompt Bail Review."

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

Sec. 1. 14 MRSA § 5541 is repealed and the following enacted in its place:

§ 5541. Bail commissioners appointed by the court

The District Court Judge resident in each district, with the concurrence of the Superior Court regional presiding justice for the judicial region including that district, may appoint one or more residents of the district as bail commissioners. Bail commissioners appointed by a District Court Judge or Superior Court Justice shall continue in office at the pleasure of that judge and that regional presiding justice. Bail commissioners shall have the powers of justices of the peace to administer oaths or affirmations in carrying out their duties.

Sec. 2. 15 MRSA § 942, sub-§ 3, first ¶, as enacted by PL 1973, c. 760, is amended to read:

Any person aggrieved by the refusal of said judge or bail commissioner to authorize his release on personal recognizance or on the execution of an unsecured appearance bond may petition the Superior Court for a review of such decision. The judge or bail commissioner making such decision shall advise such person of his right to obtain ~~an immediate~~ a review of such decision in the Superior Court. If such person chooses to have a review, he shall be furnished a petition for review in a form prescribed by the Chief Judge of the District Court and upon execution of said petition and without the issuance of any writ or other process, the sheriff of the county in which the decision was made shall provide for the transportation of the petitioner ~~forthwith~~, together with the petition for review and all papers relevant thereto, or copies thereof, to the Superior Court ~~for the county if a justice is then sitting, or to the nearest county in which a justice of the Superior Court is then sitting. In the event that no justice of the Superior Court is then sitting, the petitioner shall be retained in custody until the next business day and upon the morning of such day, without the issuance of any writ or other process, the petitioner's custodian shall provide for his transportation to the Superior Court, as hereinbefore required.~~ **In the event that no Justice of the Superior Court will be available within 24 hours excluding weekends and holidays, then arrangements shall be made for review of bail in the nearest county in which a Justice of the Superior Court is then sitting. If there is no Justice of the Superior Court available, the petitioner shall be retained in custody until a review of the bail can be held. The petitioner's custodian shall provide transportation to the Superior Court as hereinbefore required without the issuance of any writ or other process.**

Effective September 14, 1979

CHAPTER 258

H. P. 237 — L. D. 283

AN ACT to Provide for Temporary Driver Education Teacher Certification.