

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
103rd LEGISLATURE

COMMITTEE AMENDMENT "A" to S.P. 378, L.D. 990, Bill, "An Act to Clarify Authority of Complaint Justices and District Court Judges."

Amend said Bill by striking out all of the amending clause of section 2 and inserting in place thereof the following amending clause:

'The first and 2nd paragraphs, of section 171 of Title 4 of the Revised Statutes, as amended, are further amended to read as follows:

Further amend said Bill by inserting after the amending clause of section 2 the following:

'When complaint is made to ~~the proper officer~~ a Judge of the District Court charging a person with the commission of an offense, he shall issue a warrant for his arrest in such form and under such circumstances as the Supreme Judicial Court shall by rule provide.'

Further amend said Bill by inserting at the end the following:

'Sec. 3. R.S., T. 15, §706, amended. The 2nd paragraph of section 706 of Title 15 of the Revised Statutes, as repealed and replaced by section 23 of chapter 356 of the public laws of 1965, is amended to read as follows:

When complaint is made to any Judge of the District Court, or to a complaint justice ~~or to any other officer of the District Court authorized to issue process~~ charging a person with the commission of an offense, such judge, or complaint justice ~~or other officer~~ shall issue a warrant in the name of the District Court for the arrest of such person, in such form and under such circumstances as the Supreme Judicial Court shall by rule provide. Such complaint justice or other officer Judge of the District Court shall not have authority to preside at any trial, and neither shall appear as counsel in any criminal case in which he has heard the complaint. A clerk of the District Court may accept a guilty plea upon payment of fines as set by the judge.

Sec. 4. R. S., T. 15, §707, repealed. Section 707 of Title 15 of the Revised Statutes, as enacted by section 25 of chapter 356 of the public laws of 1965, is repealed.'

Reported by the Committee on JUDICIARY.
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(Filing No. S-276)

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