

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
107TH LEGISLATURE

COMMITTEE AMENDMENT "A" to S.P. 409, L.D.1291,  
Bill, "AN ACT to Establish Compensation for  
District Court Bailiffs for Work at Other Than  
Regular Hours."

Amend said Bill by striking out all of the  
title and inserting in place thereof the following:

'AN ACT to Establish Bailiffs for the Maine District  
Court.'

Further amend said Bill by inserting before  
the enacting clause the following emergency preamble:

'Emergency preamble. Whereas, Acts of the  
Legislature do not become effective until 90 days  
after adjournment unless enacted as emergencies; and

Whereas, District Courts presently do not have  
bailiffs available in the courtrooms at all times;  
and

Whereas, the presence of a bailiff is  
frequently necessary to maintain the decorum of the  
courtroom; and

Whereas, Judges of the District Court have been  
threatened in their courts and need the protection  
of bailiffs; and

Whereas, in the judgment of the Legislature,  
these facts create an emergency within the meaning  
of the Constitution of Maine and require the  
following legislation as immediately necessary for  
the preservation of the public peace, health and  
safety; now, therefore,'

Further amend said Bill by striking out  
everything after the enacting clause and before the  
Statement of Fact and inserting in place thereof  
the following:

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'4 MRSA §173, sub-§4, as last amended by PL 1971, c. 622, §5, is further amended by adding at the end 3 new paragraphs to read:

The sheriffs of the several counties shall designate and furnish deputy sheriffs to serve as bailiffs in each division of the District Court within their counties, if so requested by the Chief Judge.

Compensation for such service shall be paid for by the District Court out of its General Fund.

In those municipalities where a police officer has been furnished heretofore to serve as bailiff, the Chief Judge may continue to authorize the use of a police officer as a bailiff and the municipality shall be compensated therefor by the Maine District Court out of its General Fund. A person now appointed to serve as bailiff may also serve as court officer for a municipal police department, as provided in this subsection, but shall be compensated only for his services in one capacity.'

Further amend said Bill by adding at the end before the Statement of Fact the following emergency clause:

'Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.'

#### Statement of Fact

This amendment is necessary in order to furnish protection for the judges of said court, to maintain decorum in the courtroom and to promote and facilitate the administration of justice.

Reported by the Committee on State Government.

Reproduced and distributed pursuant to Senate Rule 11-A.

May 2, 1975.

(Filing No. S-116).