

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-408)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1092, L.D. 1375, Bill,
"AN ACT Relating to Criminal Appeals and Search Warrants."

Amend the Bill in section 1 by striking out all of
the 2nd underlined sentence of that part designated
"§55." and inserting in its place the following:

'The evidence presented to the magistrate in support of the
search warrant may consist of affidavits and other evidence under
oath or affirmation which is capable of being reduced to a
record for purposes of review.'

Further amend the Bill in section 2 in that part
designated "§2115-A." by striking out in the 3rd line of
subsection 1 (same in L.D.) the underlined words "law court"
and inserting in their place the underlined words 'Supreme
Judicial Court'; and by striking out in the 3rd line of
subsection 2 (2nd line in L.D.) the underlined words "law
court" and inserting in their place the underlined words
'Supreme Judicial Court'; and by striking out in the 7th
and 10th lines of subsection 3 (6th, 7th and 8th lines in L.D.)
the underlined words "law court" and inserting in their place
the underlined words 'Supreme Judicial Court'.

Statement of Fact

This amendment adds a provision that allows affidavits or other evidence supporting a warrant to be affirmed as well as sworn. This is a requirement under the Constitution of Maine. The amendment also corrects the reference to the law court by changing the reference to the Supreme Judicial Court.

Reported by the Committee on Judiciary
Reproduced and distributed under the direction of the
Clerk of the House.
5/14/79 (Filing No. H-408)