

MAINE STATE LEGISLATURE

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1

L.D. 7

2

(Filing No. H-8)

3

STATE OF MAINE

4

HOUSE OF REPRESENTATIVES

5

112TH LEGISLATURE

6

FIRST REGULAR SESSION

7

COMMITTEE AMENDMENT "A " to H.P. 9, L.D. 7,

8

Bill, "AN ACT to Increase the Fees of Bail Commis-

9

sioners."

10

Amend the bill by striking out all of the last
11 paragraph before the statement of fact and inserting
12 in its place the following:

13

'Such bail commissioners shall receive not ex-
14 ceeding the sum of ~~\$10~~ \$17 for the charges pursuant
15 to which the defendant is presently in custody. If a
16 bail commissioner takes bail after 8-00 p-m- and pri-
17 or to 8-00 a-m- of the following day, he shall be
18 permitted to receive a charge of up to \$15 for the
19 occasion of taking such bail, but the sum of \$15
20 shall be the maximum amount for the aggregate of all
21 the cases then pending against such person, and said
22 charge shall not be in addition to the charge for the
23 aggregate of all cases then pending otherwise autho-
24 rized in this section, but shall be inclusive of such
25 charge or charges.'

26

STATEMENT OF FACT

27

The purpose of this amendment is to raise the fee
28 paid by bailed criminal defendants to bail commis-
29 sioners and to eliminate the difference in fees paid
30 for bail occurring during daytime and nighttime.

31

Under the bill, the daytime fee would have been
32 raised from \$10 to \$15 and the nighttime fee would
33 have been raised from \$15 to \$20. This amendment es-
34 tablishes a fee for bail commissioners of \$17 regard-
35 less of the time of day. The increase is justified
36 by the fact that the fee has not been increased since

COMMITTEE AMENDMENT "A" to H.P. 9, L.D. 7

1 1975 and by the fact that the work of bail commis-
2 sioners since the enactment of provisions concerning
3 bail liens has become more complex. The elimination
4 of the fee differential for time of day is justified
5 by the testimony of bail commissioners. Some find
6 requests for bail occurring during the daytime more
7 inconvenient than those occurring during the night-
8 time because the requests interfere with the full-
9 time nonbias related jobs of the bail commissioners.
10 Others point out that a bail commissioner may be
11 called to the jail to bail someone during the night-
12 time fee period, but that the bail may not actually
13 be arranged until the daytime fee period or vice
14 versa. This makes the fee differential unjustified
15 and arbitrary in these cases.

16

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Reported by the Committee on Judiciary.
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