

# 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)

1  
2  
  
3  
4  
5  
6  
  
7  
8  
9  
10  
11  
12  
  
13  
14  
15  
  
16  
17  
  
18  
19  
20  
21  
22  
23  
24  
  
25  
26  
  
27  
28  
29  
30

L.D. 2551

(Filing No. H- 680 )

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
113TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1866, L.D. 2551,  
Bill, "AN ACT to Make Supplemental Appropriations for  
the Expenditures of the Judicial Department and to  
Change Certain Provisions of the Law Necessary to the  
Operation of the Judicial Department for the Fiscal  
Years Ending June 30, 1988, and June 30, 1989."

Amend the Bill by striking out everything after  
the enacting clause and before the emergency clause  
and inserting in its place the following:

'Sec. 1. 4 MRSA §17, sub-§3, as enacted by PL  
1975, c. 408, §5-A, is amended to read:

3. Investigate complaints. Investigate  
complaints with respect to the operation of the courts  
and relating to court and judicial security.  
Notwithstanding any other provision of law, such  
complaints and investigative files are confidential.  
Nothing in this section precludes dissemination of  
such information to another criminal justice agency;

Sec. 2. 4 MRSA §17, sub-§15, as enacted by PL  
1987, c. 137, §3, is amended to read:

15. Provide for court security. Plan and  
implement arrangements for safe and secure court  
premises to ensure the orderly conduct of judicial  
proceedings. This includes the authority to contract

COMMITTEE AMENDMENT "A" to H.P. 1866, L.D. 2551

1 for the services of qualified deputy sheriffs and  
2 other qualified individuals as needed on a per diem  
3 basis to perform court security-related functions and  
4 services. "Qualified deputy sheriffs and other  
5 qualified individuals" means those individuals who  
6 hold valid certification as law enforcement officers,  
7 as defined by the Maine Criminal Justice Academy,  
8 pursuant to Title 25, chapter 341, to include  
9 successful completion of such additional training in  
10 court security as provided by the academy or  
11 equivalent training. When under such contract and  
12 then only for the assignment specifically contracted  
13 for, the qualified deputy sheriffs or other qualified  
14 individuals shall have the same duties and powers  
15 throughout the counties of the State as sheriffs have  
16 in their respective counties. The persons performing  
17 such contractual services shall not be considered  
18 employees of the State for any purpose. They shall be  
19 paid a reasonable per diem fee plus reimbursement of  
20 their actual, necessary and reasonable expenses  
21 incurred in the performance of their duties,  
22 consistent with policies established by the State  
23 Court Administrator. Notwithstanding any other  
24 provision of law, such plans, arrangements and files  
25 involving court security matters are confidential.  
26 Nothing in this section precludes dissemination of  
27 such information to another criminal justice agency.

28 Sec. 3. Appropriation. The following funds are  
29 appropriated from the General Fund to carry out the  
30 purposes of this Act.

31		<u>1988-89</u>
32	<u>JUDICIAL DEPARTMENT</u>	
33	Courts - Supreme, Superior,	
34	District and Administrative	
35	Positions	(1)
36	Personal Services	\$ 31,307
37	All Other	3,000
38	Capital Expenditures	255,000
39		
40	Total	<u>\$289,307</u>

COMMITTEE AMENDMENT "A" to H.P. 1866, L.D. 2551

1 Provides authorization  
2 to employ an  
3 additional programmer  
4 analyst and funds to  
5 complete  
6 computerization of all  
7 50 state court  
8 locations and  
9 establish  
10 communications linkage  
11 among courts and with  
12 the Division of Motor  
13 Vehicles and State  
14 Bureau of  
15 Identification files.'

16 STATEMENT OF FACT

17 Sections 1 and 2 clarify the confidential nature  
18 of court security-related complaints and resulting  
19 investigations as well as court facility security  
20 plans and trial-related security arrangements. These  
21 provisions are similar to statutory authority already  
22 in effect for other state, county and municipal  
23 criminal justice agencies. Section 2 also permits  
24 employment of other qualified individuals, in addition  
25 to qualified deputy sheriffs, to perform court  
26 security-related services.

27 Section 3 also provides authorization to hire an  
28 additional programmer analyst and provides additional  
29 funds necessary to complete computerization of all  
30 courts and establish communications linkage between  
31 the courts and state agencies.

32

5517041188