

MAINE STATE LEGISLATURE

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L.D. 2687
(Filing No. H- 809)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
THIRD SPECIAL SESSION

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COMMITTEE AMENDMENT "A" to H.P. 1984, L.D. 2687,
Bill, "AN ACT to Ensure the Integrity of the Judicial
Process under the Bail Law."

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Amend the bill by striking out all of section 4

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Further amend the bill in section 5 in paragraph A
in subparagraph (1) in the 12th line (page 4, line 35
in L.D.) by striking out the following: "shall" and
inserting in its place the following: 'may' and in
the last 5 lines (page 5, lines 2 to 6 in L.D.) by
striking out the following: ". A designated person
or organization who intentionally or knowingly fails
to notify the judicial officer of any violation of the
release of the defendant commits a Class E crime"

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Further amend the bill in section 5 in paragraph A
in subparagraph (17) in the next to the last line
(page 6, line 29 in L.D.) by inserting after the
underlined word "arrested" 'or summoned'

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Further amend the bill by striking out all of
section 6

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Further amend the bill in section 9 in subsection
9 by striking out all of paragraph A and inserting in
its place the following:

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'A. A Class E crime; or'

COMMITTEE AMENDMENT "A" to H.P. 1984, L.D. 2687

1 Further amend the bill in section 9 in subsection
2 9 in paragraph B in the last line (page 9, line 1 in
3 L.D.) by inserting after the underlined word "more"
4 the following: 'and the condition of release violated
5 is one specified in section 1026, subsection 3,
6 paragraph A, subparagraphs (5), (8) or (13).'

7 Further amend the bill by striking out all of
8 sections 10 and 12

9 Further amend the bill in section 13 by striking
10 out all of that part designated "§1092." and inserting
11 in place the following:

12 '§1092. Violation of condition of release

13 Any person charged with an offense who has been
14 admitted to preconviction bail and who, in fact,
15 violates a condition of release is guilty of a Class E
16 crime or is guilty of a Class C crime if the offense
17 charged was punishable by a maximum period of
18 imprisonment of one year or more and the condition of
19 release violated is one specified in section 1026,
20 subsection 3, paragraph A, subparagraphs (5), (8) or
21 (13). It is an affirmative defense that the violation
22 resulted from just cause.

23 Further amend the bill in section 14 in subsection
24 2 in the 9th to 11th lines (page 10, lines 20 to 22 in
25 L.D.) by striking out the following: "the judge or
26 justice who set bail or, if that judge or justice is
27 not available, before another" and inserting in its
28 place the following: 'a'

29 Further amend the bill by renumbering the sections
30 to read consecutively

31 STATEMENT OF FACT

32 This amendment makes several changes to the
33 original bill, including the following.

34 1. It deletes several unnecessary notice
35 provisions.

