## MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

### FIRST REGULAR SESSION - 1989

Legislative Document

No. 1501

H.P. 1079

House of Representatives, May 5, 1989

Reference to the Committee on Judiciary suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative PARADIS of Augusta.
Cosponsored by Representative RICHARDS of Hampden.

#### STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Amend the Maine Bail Code with Respect to Mandatory Training as a Condition of Appointment of Bail Commissioners.

(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and Whereas, clarification is needed at once with respect to 5 when mandatory training as a condition of appointment as a bail commissioner must be completed; and 7 9 Whereas, the authority of commissioners must be clarified to ensure the certainty of bail orders which are being made and 11 which will be made before this law would take effect if not enacted as an emergency; and 13 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of 15 Maine and require the following legislation as immediately 17 necessary for the preservation of the public peace, health and safety; now, therefore, 19 Be it enacted by the People of the State of Maine as follows: 21 15 MRSA §1023, sub-§7, as enacted by PL 1987, c. 758, §20, is amended to read: 23 7. Mandatory training. As a condition of appointment and 25 continued service, a bail commissioner must successfully complete 27 within one year after initial appointment a bail training program as prescribed and scheduled by the Chief Judge of the District 29 Court. Maine Criminal Justice Academy shall assistance to the Chief Judge of the District Court an 31 establishing appropriate training program. The program shall include instruction on the commissioners. 33 this chapter, the relevant constitutional provisions of provisions on bail and any other matters pertinent to bail that the Chief Judge of the District Court considers appropriate and 35 necessary. The Chief Judge of the District Court may establish a 37 continuing education program for bail commissioners. Emergency clause. In view of the emergency cited in the 39 preamble, this Act shall take effect when approved. 41

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### STATEMENT OF FACT

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This bill clarifies the requirement of mandatory training as a condition of appointment as a bail commissioner by specifying that the training must be completed within one year from appointment.