

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 225

S.P. 123

In Senate, February 1, 1991

Submitted by the Judicial Department pursuant to Joint Rule 24.
Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BERUBE of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act Regarding Court Security in Androscoggin County.

(EMERGENCY)

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 Whereas, this legislation is necessary in order to clarify
6 the responsibility for providing and paying for the security of
the courts and the safety of the public with regard to prisoners;
8 and

10 Whereas, Androscoggin County has not entered into an
agreement with the Judicial Department for court security
12 services pursuant to the provisions of Public Law 1989, chapter
722, section 1; and

14 Whereas, a transfer of court officers from county to state
16 employment provides the most effective means of controlling court
security costs in Androscoggin County; and

18 Whereas, a transfer of available funds and an increase in
20 the Judicial Department position count are necessary to carry out
the purposes of this Act; and

22 Whereas, in the judgment of the Legislature, these facts
24 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
26 necessary for the preservation of the public peace, health and
safety; now, therefore,

28 **Be it enacted by the People of the State of Maine as follows:**

30 **Appropriation.** The following funds are appropriated from
32 the General Fund to carry out the purposes of this Act.

	1990-91	1991-92
36 JUDICIAL DEPARTMENT		
38 Positions	(3)	(3)
Personal Services	\$34,963	\$73,422
40 All Other	(34,963)	(73,422)
42 Transfers available funds to		
44 provide for transfer of court		
officers from county to state		
employment.		
46 JUDICIAL DEPARTMENT		
48 TOTAL	-0-	-0-

50 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

52

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STATEMENT OF FACT

4 As an extension of court security cost-containment
6 legislation passed in the Second Regular Session of the 114th
8 Legislature, Public Law 1989, chapter 722, section 1, this bill
10 gives the Judicial Department the authority to hire qualified
12 personnel as state employees to perform court security functions
 in Androscoggin County. In order to accomplish this, this bill
 increases the Judicial Department position count by 3 and
 provides for the transfer of funds from the All Other to Personal
 Services account with no additional appropriation of funds
 required.