

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 169, L.D. 254, Bill, "An Act Regarding Court Deposits and Revenue Reporting"

Amend the bill by inserting after the title and before the enacting clause the following:

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

Whereas, current law requires that all cash bail paid to the District Court and the Superior Court be placed in interest-bearing accounts even though the amount of interest generated by small amounts often is less than the service charge on those accounts, needlessly wasting scarce judicial fiscal resources; and

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

Further amend the bill by striking out all of sections 1 and 2 and inserting in their place the following:

Sec. 1. 4 MRSA §116, 2nd ¶, as enacted by PL 1989, c. 501, Pt. P, §1, is amended to read:

Funds received by the clerk as bail in criminal cases shall must be deposited daily in a special ~~interest-bearing~~ account. The clerk shall deposit the funds in an interest-bearing account unless the clerk determines that it is not cost effective to do so. Interest accrued in such an account shall ~~be~~ is the property of and shall ~~accrue~~ accrues to the State. The forfeiture and setoff of bail shall ~~be~~ is as otherwise provided by law.

