

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 397, L.D. 542, Bill, "An Act to Make Appeals to the Law Court From Revocation of Probation Proceedings Conditional and to Clarify the Matter of Bail Pending Final Disposition of a Motion for Revocation of Probation"

Amend the bill in section 1 by striking out all of subsection 8 (page 1, lines 5 to 10 in L.D.) and inserting in its place the following:

'8. In deciding whether to set bail under this section and in setting the kind and amount of that bail, the court must be guided by the standards of post-conviction bail in Title 15, section 1051, subsections 2 and 3. Appeal is governed by Title 15, section 1051, subsections 5 and 6. Bail set under this section is also governed by the sureties and other forms of bail provisions in Title 15, chapter 105-A, subchapter IV and the enforcement provisions in Title 15, chapter 105-A, subchapter V, articles 1 and 3, including the appeal provisions in Title 15, section 1099-A, subsection 2.'

Further amend the bill in section 2 by striking out all of the last underlined sentence (page 1, lines 18 to 24 in L.D.) and inserting in its place the following: 'Section 1205, subsection 8 applies to bail under this section.'

SUMMARY

This amendment specifies that, when making decisions about bail in probation revocation proceedings, the court must be guided by the Maine Bail Code standards in the Maine Revised Statutes, Title 15, section 1051, subsections 2 and 3. The amendment also applies the following provisions of the Maine Bail Code to probation revocation proceedings:

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 397, L.D. 542

- 2 1. Title 15, chapter 105-A, subchapter IV regarding
sureties and other forms of bail;
- 4
- 6 2. Title 15, chapter 105-A, subchapter V, articles 1 and 3
regarding enforcement; and
- 8 3. Title 15, section 1051, subsections 5 and 6 and section
1099-A, subsection 2 regarding appeals.

COMMITTEE AMENDMENT