

MAINE STATE LEGISLATURE

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ONE HUNDRED AND ELEVENTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1984

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the Second Regular Session of the 111th Legislature. The summaries are arranged alphabetically, and indexed separately by committee.

<u>LD</u>	<u>TITLE</u>	<u>SPONSOR</u>	<u>DISPOSITION</u>
2433	AN ACT TO PROVIDE GUIDE-LINES FOR SALE OF TAX-ACQUIRED PROPERTY	Najarian	SEN. ENGROSSED HSE. ADHERED TO MAJORITY ONTP REPORT

SUMMARY: This bill was a new draft of LD 1719, a holdover bill. It sought to require that the State, any municipality or any sewer or sanitary district that forecloses on real estate for delinquent taxes or sewer fees be required to remit to the previous property owner any surplus proceeds from sale after taxes, costs or fees plus any other costs, including cost of sale have been deducted.

The municipality, or the district would retain 20% of the surplus from the sale.

In case the State, municipality, sewer or sanitary district decided to retain the property, the value of the property would be determined in the same manner as eminent domain by a municipality. Any surplus from these damages, after taxes, costs or fees and other costs, would be remitted to the previous property owner. In addition, the municipality or the district may retain 20% of the surplus.

If a municipality or district allowed the owner to retain possession, these provisions would not apply and no remittance of the surplus would be necessary until the municipality or district actually obtained possession of the property.

2439	AN ACT TO AMEND THE LAWS REGARDING BAIL. NEW DRAFT REPLACES LD2185	Brannigan	PL. 1983, c. 795
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SUMMARY: This bill amends the criminal code as follows:

1. requires an attorney for the State to be present at all arraignments and initial appearances for murder or Class A, Class B or Class C.
2. provides an opportunity for an attorney for the State or a law enforcement officer familiar with the changes to to present any evidence relevant to bail considerations at the time bail is set.
3. requires that when real estate is used as a surety for bail in cases involving murder or a Class A, Class B or Class C crime, it shall be recorded with the register of deeds as a bail lien and establishes a fee for recording and discharging the lien and designates who is responsible for payment of that lien. It also provides that persons can be taken back into custody without issuance of further process if the lien is not filed in conformity with the state.

However, a bail lien is not required when bail is posted through a non-profit bail assistance project.

4. provides that a judge who release a person accused of a Class A, Class B or Class C crime on personal recognizance or on execution of a secured bond shall state in writing or "on the record" why release was appropriate.

5. provides that any person charged with violation of a condition of release is guilty of a Class E crime and may be arrested without a warrant.

6. directs the Department of Public Safety to study the needs of the State in regard to criminal history record information dissemination and report to the Legislature on the establishment and implementation of a system designed to provide complete and accurate information to law enforcement agencies.