## MAINE STATE LEGISLATURE

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United States.

|    | L.D. 1552   |  |  |  |  |  |  |  |
|----|---|--|--|--|--|--|--|--|
| 2  | DATE: 3/28/94 (Filing No. H- 956)   |  |  |  |  |  |  |  |
| 4  |   |  |  |  |  |  |  |  |
| 6  | REPORT B  JUDICIARY   |  |  |  |  |  |  |  |
| 8  |   |  |  |  |  |  |  |  |
| 10 | Reproduced and distributed under the direction of the Clerk of the House.                   |  |  |  |  |  |  |  |
| 12 | STATE OF MAINE  |  |  |  |  |  |  |  |
| 14 | HOUSE OF REPRESENTATIVES 116TH LEGISLATURE  |  |  |  |  |  |  |  |
| 16 | SECOND REGULAR SESSION  |  |  |  |  |  |  |  |
| 18 | COMMITTEE AMENDMENT " $\mathcal{A}$ " to H.P. 1153, L.D. 1552, Bill, "A                     |  |  |  |  |  |  |  |
| 20 | Act to Amend the Laws Governing the Required Qualifications t<br>Practice Law in the State" |  |  |  |  |  |  |  |
| 22 | Amend the bill by striking out everything after the enactin                                 |  |  |  |  |  |  |  |
| 24 | clause and before the statement of fact and inserting in it place the following:            |  |  |  |  |  |  |  |
| 26 | 'Sec. 1. 4 MRSA §805-A, sub-§2, ¶A, as enacted by PL 1985, c                                |  |  |  |  |  |  |  |
| 28 | 124, §6, is amended to read:  |  |  |  |  |  |  |  |
| 30 | A. Produces satisfactory evidence of good mora  |  |  |  |  |  |  |  |

(1) An applicant who has been convicted as an adult of a crime that is punishable by imprisonment of one year or more in this State or in another state or jurisdiction of the United States is presumed to not meet the requirement of good moral character.

(2) This presumption may be rebutted by proof that:

character. Evidence of lack of good moral character

includes, but is not limited to, conviction as an adult of a crime that is punishable by imprisonment of one year or more in this State or in another state or jurisdiction of the

|           |           | 11   |    |      | •     |      |      |
|-----------|-----------|------|----|------|-------|------|------|
| COMMITTEE | AMENDMENT | "[]" | to | H.P. | 1153, | L.D. | 1552 |

|    | <ul><li>(a) A full and free pardon has been obtained;</li></ul>                   |            |  |  |  |  |  |
|----|---|------------|--|--|--|--|--|
| 2  |   |            |  |  |  |  |  |
|    | (b) Extraordinary circumstances surrounded  | <u>the</u> |  |  |  |  |  |
| 4  | commission of the crime; or   |            |  |  |  |  |  |
| 6  | (c) A reasonable amount of time has passed si                                     |            |  |  |  |  |  |
| 8  | the applicant's conviction and completion sentence and there is evidence of compl |            |  |  |  |  |  |
| J  | rehabilitation based on the applicant's subsequ                                   |            |  |  |  |  |  |
| 10 | history;'   |            |  |  |  |  |  |
| 12 |   | ·          |  |  |  |  |  |
| 12 | STATEMENT OF FACT   |            |  |  |  |  |  |
| 14 |   |            |  |  |  |  |  |
| ,  | This amendment replaces the bill, but retains the original                        | nal        |  |  |  |  |  |
| 16 | purpose of prohibiting, in most cases, convicted felons f                         |            |  |  |  |  |  |
|    | being admitted to practice law in this State.                                     |            |  |  |  |  |  |