

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MARTIN J	OTP-AM MAJ	H-632
GAUVREAU	ONTP MIN	
HOLLOWAY		
BRANNIGAN		

SUMMARY

The bill creates the Maine Civil Legal Services Fund for the purpose of providing free legal services to people of low income. The services will be provided by Pine Tree Legal Assistance, Legal Services for the Elderly and the Cumberland Legal Aid Clinic staffed by the law school.

Committee Amendment "A" (H-632) replaces the bill. It creates the Maine Civil Legal Services Fund to provide a mechanism to receive funds and prioritize distribution of funding for legal services in civil matters to people of low income. It provides for a flexible funding system, primarily based on voluntary contributions through a "negative check-off" system for lawyers. The Supreme Judicial Court is requested to establish this contribution system as part of its registration requirements for lawyers, and as an extension of the existing contribution system. The Maine Civil Legal Services Fund may include funds from other sources as well. The Supreme Judicial Court will act as the administrator of the fund, or will appoint a person or organization to act as the administrator. The administrator will allocate the money in the fund as provided in the statute. The Volunteer Lawyers Project will receive at least \$26,500 of the contributions, which is approximately the same amount as was contributed through a voluntary checkoff on bar registrations to the Volunteer Lawyers Project in 1989. Any money remaining in the fund and any additional funds will be allocated as follows: 60% to Pine Tree Legal Assistance, Inc.; 35% to Legal Services for the Elderly; and 5% to the Legal Aid Clinic of the University of Maine School of Law.

LD 1679 An Act to Reduce the Filing Fee for Jury Trials

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CONLEY	ONTP	
PARADIS P		
MARSANO		

SUMMARY

The bill would have established a filing fee of \$100 for civil actions in which a jury trial is demanded and prohibits the imposition of an additional civil jury fee.

LD 1683 An Act Concerning Children in Need of Social Services

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BOST	ONTP	
ANTHONY		
CHONKO		
BRANNIGAN		

SUMMARY

The bill would have provided an opportunity for a court to review the circumstances of a child who runs away from home, refuses to obey the child's parents or guardian or fails to attend school. If the court, upon the petition of a parent or guardian, law enforcement officer or school principal, finds that the