

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
110TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-555)

COMMITTEE AMENDMENT ⁶ to H.P. 1306, L.D. 1511, Bill,
"AN ACT to Create a Board of Review of the Judiciary."

Amend the bill in section 2 in that part designated
"§423." by inserting at the end the following new paragraph:

'All actions taken by the board and records of the board
prior to the hearing are confidential.'

Further amend the bill in section 2 in that part
designated "§424." by striking out the last 2 sentences and
inserting in their place the following underlined sentence:
'All hearings before the board shall be open to the public.'

Further amend the bill in section 2 by striking out
all of that part designated "§425." and inserting in its place
the following:

'§425. Disposition

If, after completion of the board's investigation and hearing,
if any, the board determines that the person under investigation
has violated the laws of Maine, the nature of which violation casts
into doubt his continued willingness to conform his conduct to the
Code of Judicial Conduct as applicable, or that \longleftrightarrow the person
has violated the Code of Judicial Conduct as applicable, or that the

person under investigation is suffering from a mental and physical disability which materially affects his ability to perform his duties as a judge, the board shall file a report of its findings with the Supreme Judicial Court, the Governor and the legislative committee having jurisdiction / ^{over judiciary,} together with a statement of the alleged charges, a recommendation as to action, the transcript of any hearing and any exhibits considered by the board.'

Statement of Fact

This amendment insures that actions taken by the board and records of the board prior to the hearing are confidential. It also requires the report of the board to be filed with the Supreme Judicial Court.

Reported by Report "C" of the Committee on Judiciary.
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