

MAINE STATE LEGISLATURE

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L.D. 1910
(Filing No. S-428)

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STATE OF MAINE
SENATE
110TH LEGISLATURE
SECOND REGULAR SESSION

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COMMITTEE AMENDMENT " A" to S.P. 814, L.D. 1910, Bill,
"AN ACT to Implement the Single Trial Law."

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Amend the bill by striking out everything after section
1 and before the emergency clause and inserting in its place
the following:

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'Sec. 2. 4 MRSA §651, first sentence, as repealed and
replaced by PL 1977, c. 208, §1, is amended to read:

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The Chief Justice or his designee may appoint Official
Court Reporters to serve at his pleasure, the total number
of which shall not exceed the total number of active Super-
ior Court Justices by more than 2, who shall report the
proceedings in the Supreme Judicial Court and in the Super-
ior Court.

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Sec. 3. 4 MRSA §651, 3rd ¶, as repealed and replaced
by PL 1977, c. 208, §1, is amended by adding at the end a
new sentence to read:

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The Supreme Judicial Court may prescribe rules, requirements
and regulations that will allow Class D and Class E criminal
proceedings heard by a District Court Judge, sitting as a
Superior Court Judge in a District Court facility on a jury
waived trial, to be reported by whatever methods are avail-
able in District Court proceedings.

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Sec. 4. 15 MRSA §2111, 2nd sentence, as repealed and
replaced by PL 1965, c. 356, §59, is amended to read:

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The appeal may be taken within 5 10 days after pronouncement
of the judgment appealed from, in such manner and upon such
conditions as the Supreme Judicial Court may by rule pre-
scribe.'

1 COMMITTEE AMENDMENT "A" to S.P. 814, L.D. 1910

2 STATEMENT OF FACT

3 Section 2 of the bill, as amended, eliminates a statu-
4 tory limit on the number of Official Court Reporters in
5 recognition that the number of these employees already is
6 subject to the normal appropriations process, and elimina-
7 tion of a ceiling will provide more flexibility in day-
8 to-day management of our courts.

9 Section 3 of the bill, as amended, allows certain Class
10 D and Class E criminal nonjury Superior Court cases heard in
11 District Court facilities by a District Court Judge to be
12 reported by whatever means are currently available in Dis-
13 trict Court proceedings.

14 Section 4 of the bill, as amended, provides for 10 days
15 in which a defendant can appeal a criminal matter to Supe-
16 rior Court only on questions of law, pursuant to Title 15,
17 section 2114, the Single Trial Law. This is the time pro-
18 vided for ordinary civil appeals in District Court rules,
19 and is recommended by the Single Trial Committee and the
20 Advisory Committee on Criminal Rules.

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Reported by the Committee on Judiciary.

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March 23, 1982

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