

MAINE STATE LEGISLATURE

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L.D. 813

(Filing No. S- 163)

STATE OF MAINE
SENATE
112TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 324, L.D. 813,
Bill, "AN ACT Relating to Night Court Sessions for
Small Claims Court."

Amend the Bill by inserting before the enacting
clause the following:

'Emergency preamble. Whereas, Acts of the Legis-
lature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

Whereas, the law providing for night sessions of
Small Claims Court will be repealed on July 1, 1985,
unless this bill is enacted as emergency legislation;
and

Whereas, it is appropriate to continue night ses-
sions of Small Claims Court for a set period to de-
termine if greater advertising of the availability of
night sessions will increase public use of these
night sessions in other areas of the State to the ex-
tent already achieved by advertising in one area of
the State; and

Whereas, in the judgment of the Legislature,
these facts create an emergency within the meaning of
the Constitution of Maine and require the following
legislation as immediately necessary for the preser-
vation of the public peace, health and safety; now,
therefore, '

Further amend the Bill by striking out everything
after the enacting clause and inserting in its place
the following:

'1 MRSA §2501, sub-§4, ¶A, as enacted by PL 1983,
c. 548, §1, is amended to read:

COMMITTEE AMENDMENT " A " to S.P. 324, L.D. 813

1 A. Title 4, section 181 shall be repealed on Ju-
2 ly 17, 1985 November 1, 1986.

3 Emergency clause. In view of the emergency cited
4 in the preamble, this Act shall take effect when ap-
5 proved.

6 FISCAL NOTE

7 The Judicial Department has indicated that they
8 have built the cost of continued evening hours for
9 the Small Claims Court into their 1986-87 biennium
10 budget request. If this bill is enacted the depart-
11 ment will be able to absorb any costs within their
12 existing resources.'

13 STATEMENT OF FACT

14 The purpose of this amendment is to provide an-
15 other year of testing of the use of night sessions of
16 Small Claims Court. In the year and a half that night
17 sessions of Small Claims Court have been held, the
18 public has made little use of the opportunity, except
19 in Bangor where court personnel have made a real ef-
20 fort to advertise the availability of night sessions.
21 With the extension of the sunset on the night ses-
22 sions' law provided by this amendment, the Judicial
23 Department will have one more year in which to test
24 usage of night Small Claims Court. The intent of this
25 amendment is that the Judicial Department will thor-
26 oughly advertise the availability of night sessions
27 in all courts, not just in the Bangor court. In a
28 year's time, the Legislature will be able to assess
29 whether greater advertising leads to greater usage.

30 3760052085

Reported by the Majority for the Committee on Judiciary.
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