

MAINE STATE LEGISLATURE

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(After Deadline)
SECOND REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document

No. 2236

H.P. 1587

House of Representatives, March 18, 1986

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Murphy of Kennebunk.

Cosponsored by Senator Sewall of Lincoln, Representative Paul of Sanford and Representative Drinkwater of Belfast.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SIX

AN ACT to Authorize Police Officers to
Prosecute Minor Violations in the
Enforcement of Municipal Ordinances.

Be it enacted by the People of the State of Maine as follows:

4 MRSA §807, first ¶, as amended by PL 1985, c. 124, §8, is further amended to read:

No person may practice law or hold himself out to practice law within the State or before its courts, or demand or receive any remuneration for those services rendered in this State, unless he has been admitted to the bar of this State and has complied with section 806-A, or unless he has been admitted to try cases in the courts of this State under section 802. Any person who practices law in violation of these requirements is guilty of the unauthorized practice of law, which is a Class E crime. This section shall not be construed to apply to practice before any Fed-

1 eral Court by any person admitted to practice there-
2 in; ~~nor~~ to a person pleading or managing his own
3 cause in court; ~~nor~~ to the officer or employee of a
4 corporation, partnership, sole proprietorship or gov-
5 ernmental entity, who is not an attorney, but is ap-
6 pearing for that organization in an action cognizable
7 as a small claim under Title 14, chapter 738; ~~nor~~ to
8 a person who is not an attorney, but is representing
9 a municipality under Title 12, section 4812-C, sub-
10 section 2; Title 30, section 3222, subsection 2; or
11 Title 30, section 4966, subsection 1; ~~nor~~ to a person
12 who is not an attorney, but is representing the De-
13 partment of Environmental Protection under Title 38,
14 section 342, subsection 7; nor to a police officer
15 who is not an attorney, but representing a municipal-
16 ity in the enforcement of a city or town ordinance.
17 In all proceedings, the fact, as shown by the records
18 of the Board of Overseers of the Bar, that that per-
19 son is not recorded as a member of the bar shall be
20 prima facie evidence that he is not a member of the
21 bar licensed to practice law in the State.

22 STATEMENT OF FACT

23 This bill allows police officers to prosecute mi-
24 nor violations such as town ordinances.

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