MAINE STATE LEGISLATURE

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STATE LAWY LIERY AUGUSTA, MAIN

(EMERGENCY) (After Deadline) FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1874

H.P. 1372 House of Representatives, June 17, 1987 Introduced under suspension of the Joint Rules. Reference to the Committee on Judiciary suggested and ordered printed.

EDWIN H. PERT, Clerk Presented by Representative CARTER of Winslow. Cosponsored by Speaker MARTIN of Eagle Lake, President PRAY of Penobscot, and Senator PEARSON of Penobscot.

STATE OF MAINE

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

1 2 3	AN ACT to Remove a Certain Sunset Provision in the Judiciary Laws.
4 5 6	Emergency preamble. Whereas, Acts of the Legis- lature do not become effective until 90 days after adjournment unless enacted as emergencies; and
7 8 9 10	Whereas, unless this legislation is immediately enacted, there will be a significant loss of revenue to the General Fund which would unbalance the budget; and
11 12 13 14	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,

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

5 4 MRSA §18, sub-\$6, as amended by PL 1985, c. 814, Pt. K, is further amended to read:

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waived.

814, Pt. K, is further amended to read:

6. Fees. When the court refers parties to the Court Mediation Service after the filing of a complaint or petition under Title 19, section 214 or

plaint or petition under Title 19, section 214 or 581, or Title 19, chapter 13, the court shall assess the parties a \$60 fee to be apportioned equally between the parties, unless the court otherwise directs. The court shall not assess the parties and

tween the parties, unless the court otherwise directs. The court shall not assess the parties any fees beyond the initial \$60 fee, unless one or both of the parties files under Title 19, section 214 or 581, or Title 19, chapter 13, a motion to amend a fi-

17 nal decree, a motion to enforce a final decree or a 18 motion for contempt. When the court refers the parties to the Court Mediation Service after the filing 19 20 under Title 19, section 214 or 581, or Title chapter 13, of a motion to amend a final decree, a 21 motion to enforce a final decree or a motion for con-22 23 tempt, the court shall assess the parties another

\$60 fee to be apportioned equally between the parties, unless the court otherwise directs.

A party may file an in forma pauperis application for waiver of a fee established by this subsection. If the court finds that the party does not have sufficient funds to pay the fee, it shall order the fee

This-subsection-is-repealed-on-June-307-1987.

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

32 Emergency clause. In view of the emergency cited 33 in the preamble, this Act shall take effect when ap-34 proved.

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, amount	2 3 4	Failure to repeal the sunset provision would result in a loss of General Fund revenue in the amount of \$240,000 per year.
	5	STATEMENT OF FACT
	6 7 8 9	This bill repeals the sunset provision which would have removed from the statutes the authority of the court to assess fees for court mediation services.

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FISCAL NOTE

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