

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1376

S.P. 420

In Senate, March 5, 2001

An Act Concerning the State Court Library System.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator LONGLEY of Waldo.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 4 MRSA §191**, as amended by PL 1993, c. 375, §1, is
5 further amended to read:

6 **§191. State Court Library Committee**

7 The State Court Library Committee, as established in Title
8 5, section 12004-G, subsection 23, consists of 9 voting members,
9 3 of whom must be members of the public, 2 of whom must be
10 members of the judiciary and 4 of whom must be attorneys. Each
11 attorney appointed to the committee must be actively engaged in
12 the practice of law and have an established place of business in
13 a county in which a law library established pursuant to section
14 193 is located ~~and must be chosen so that each tier has an~~
15 ~~attorney representative.~~ One of the 4 attorney members must be
16 chosen from a county having a census population of from 45,000 to
17 120,000 and one of the 4 must be chosen from a county having a
18 census population of less than 45,000 persons. The members are
19 appointed by and serve at the pleasure of the Chief Justice of
20 the Supreme Judicial Court. The Chief Justice shall designate the
21 chair. The State Law Librarian, the University of Maine School
22 of Law Librarian and the State Court Administrator are ex officio
23 nonvoting members. A quorum consists of 5 of the voting
24 members. The committee shall meet at least 4 times each year.
25 Secretarial assistance must be provided by the Administrative
26 Office of the Courts.

27 **Sec. 2. 4 MRSA §193**, as amended by PL 1995, c. 55, §1 and
28 affected by §2, is repealed and the following enacted in its
29 place:

30 **§193. System of law libraries**

31 There must be a system of law libraries accessible to all
32 citizens within the State, under the supervision of the State
33 Court Library Committee.

34 These libraries must be located in:

35 Androscoggin County, Auburn;

36 Aroostook County, Caribou;

37 Aroostook County, Houlton;

38 Cumberland County, Portland;

39 Franklin County, Farmington;

2 Hancock County, Ellsworth;
4 Kennebec County, Augusta;
6 Knox County, Rockland;
8 Lincoln County, Wiscasset;
10 Oxford County, South Paris;
12 Penobscot County, Bangor;
14 Piscataquis County, Dover-Foxcroft;
16 Sagadahoc County, Bath;
18 Somerset County, Skowhegan;
20 Waldo County, Belfast;
22 Washington County, Machias; and
24 York County, Alfred.

26 All funds appropriated by the Legislature for the use and
28 benefit of the law libraries must be paid to the Administrative
 Office of the Courts and must be disbursed by that office under
 the direction of the State Court Library Committee.

30 The libraries located at Bangor and Portland are to serve as
32 regional court law library centers. The State Court Library
34 Committee shall allocate specific funds, in addition to the
36 resources received by the other law libraries, to the regional
 court law library centers in Bangor and Portland to purchase
 legal resources, library equipment and supplies and necessary
 personnel. Both regional court libraries must receive the same
 funds.

38 All other law libraries must receive equal resources and
40 services regardless of location and have access to the regional
42 court law library centers for the resources not available locally.

44 **Sec. 3. 4 MRSA §195**, as enacted by PL 1981, c. 510, §1, is
 amended to read:

46 **§195. County law libraries**

48 There ~~is created~~ must be a County Law Library Committee, ~~of~~
50 ~~not less than 3 nor more than 7 members~~, in each county in which
 a county law library is located. The members of the committee
 shall must be appointed or elected by the county bar association,

2 or other governing body, as its bylaws may provide. Membership on
the committee need not be restricted to attorneys. The County Law
4 Library Committee shall appoint a chairman chair, a treasurer and
a clerk.

6 **Sec. 4. 4 MRSA §196**, as enacted by PL 1981, c. 510, §1, is
amended to read:

8 **§196. Duties, county committee**

10 The County Law Library Committee shall, in conjunction with
12 the State Court Library Committee, establish local operating
14 policies, such as, but not limited to, hours, circulation
policies, ~~smoking rules,~~ access and photocopy privileges. Each
16 county committee shall exercise supervision over the expenditures
of private and nonstate funds, including endowments, and may use
those funds to upgrade its county law library. ~~Each County Law~~
18 ~~Library Committee, together with the State Court Library~~
~~Committee, shall develop its basic collection within guidelines~~
20 ~~established by the State Court Library Committee. Each county~~
~~committee, in consultation with the State Court Library~~
22 ~~Committee, shall determine new acquisitions.~~ Each county
committee shall determine space requirements, with the advice and
24 assistance of the State Court Library Committee.

26 **SUMMARY**

28 This bill implements the recommendations made by the Study
30 Group to the State Library Committee. The bill requires that one
of the 4 attorney members on the State Court Library Committee
32 must be chosen from a county having a census population of from
45,000 to 120,000 and that one must be chosen from a county
34 having a census population of less than 45,000 persons. The bill
also adds Kennebec County to the list of available law library
36 locations. The bill also requires the County Law Library
Committee in conjunction with the State Court Library Committee
38 to establish local operating policies.