

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 1077

H.P. 795

House of Representatives, March 4, 2003

**Resolve, To Create the Committee To Conduct a Review of the  
Board of Overseers of the Bar**

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Reference to the Committee on Judiciary suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative JOY of Crystal.

2           **Sec. 1. Committee established. Resolved:** That the Committee to  
3 Conduct a Review of the Board of Overseers of the Bar, referred  
4 to in this resolve as "the committee," is established; and be it  
5 further

6           **Sec. 2. Committee membership. Resolved:** That the committee  
7 consists of the following 7 members:

8           1. Three members appointed by the Governor;

9           2. Two members appointed by the President of the Senate,  
10 one from each of the 2 political parties having the largest  
11 number of members in the Senate; and

12           3. Two members appointed by the Speaker of the House, one  
13 from each of the 2 political parties having the largest number of  
14 members in the House.

15           Not more than 2 members may be members of the Maine State  
16 Bar Association; and be it further

17           **Sec. 3. Chairs. Resolved:** That the first-named Senate member  
18 is the Senate chair of the committee and the first-named House of  
19 Representatives member is the House chair of the committee; and  
20 be it further

21           **Sec. 4. Appointments; convening of committee. Resolved:** That  
22 all appointments must be made no later than 30 days following the  
23 effective date of this resolve. The appointing authorities shall  
24 notify the Executive Director of the Legislative Council once all  
25 appointments have been completed. Within 15 days after  
26 appointment of all members, the executive director shall call and  
27 convene the first meeting of the committee; and be it further

28           **Sec. 5. Duties. Resolved:** That the committee shall examine the  
29 following issues:

30           1. The case load of the Board of Overseers of the Bar,  
31 referred to in this section as "the board";

32           2. The disposition of cases before the board;

33           3. The effectiveness of representation for public  
34 complaints against members of the bar;

35           4. The appeals process before the board;

36           5. The method of assignments of cases within the  
37 organization of the board; and

2           6. The assurance of justice within the legal system; and be  
it further

4  
6           **Sec. 6. Staff assistance. Resolved:** That, upon approval of the  
Legislative Council, the Office of Policy and Legal Analysis  
shall provide necessary staffing services to the committee; and  
8 be it further

10           **Sec. 7. Compensation. Resolved:** That legislative members of  
the committee are entitled to the legislative per diem, as  
12 defined in the Maine Revised Statutes, Title 3, section 2, and  
reimbursement for travel and other necessary expenses related to  
14 their attendance at authorized meetings of the committee. Public  
members not otherwise compensated by their employers or other  
16 entities that they represent are entitled to receive  
reimbursement of necessary expenses and, upon a demonstration of  
18 financial hardship, a per diem equal to the legislative per diem  
for their attendance at authorized meetings of the committee; and  
20 be it further

22           **Sec. 8. Report. Resolved:** That, no later than January 15,  
2004, the committee shall submit a report that includes its  
24 findings and recommendations, including suggested legislation,  
for presentation to the Second Regular Session of the 121st  
26 Legislature. The committee is authorized to introduce  
legislation related to its report to the Second Regular Session  
28 of the 121st Legislature at the time of submission of its report;  
and be it further

30  
32           **Sec. 9. Extension. Resolved:** That, if the committee requires a  
limited extension of time to complete its study and make its  
report, it may apply to the Legislative Council, which may grant  
34 an extension; and be it further

36           **Sec. 10. Committee budget. Resolved:** That the chairs of the  
committee, with assistance from the committee staff, shall  
38 administer the committee's budget. Within 10 days after its  
first meeting, the committee shall present a work plan and  
40 proposed budget to the Legislative Council for its approval. The  
committee may not incur expenses that would result in the  
42 committee's exceeding its approved budget. Upon request from the  
committee, the Executive Director of the Legislative Council  
44 shall promptly provide the committee chairs and staff with a  
status report on the committee budget, expenditures incurred and  
46 paid and available funds.

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## SUMMARY

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4           This resolve creates the Committee to Conduct a Review of  
the Board of Overseers of the Bar.