

MAINE STATE LEGISLATURE

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DATE: 5/31/5

L.D. 715
(Filing No. H-582)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 510, L.D. 715, Bill, "An Act To Provide Support for Legal Services for Low-income Mainers"

Amend the bill by inserting after the enacting clause the following:

Sec. 1. 4 MRSA §18-A, sub-§1, ¶B, as amended by PL 1997, c. 173, §1, is further amended to read:

B. Except as provided in paragraph C, money in the fund must be disbursed to legal ~~service~~ services providers to support the provision of free civil legal services to low-income or needy people or the needy elderly in this State. Money disbursed from the fund may not be used by a recipient to support lobbying as defined in Title 3, section 312-A, subsection 9, unless the recipient is responding to a request by a Legislator or a member of the Executive Department. Only the following legal ~~service~~ services providers may receive disbursement to provide free civil legal services:

(1) Nonprofit organizations whose missions ~~are--to~~ provide include the provision of free civil legal services and who have at least one year of experience providing free civil legal services;

(2) Legal aid clinics of accredited law schools operating exclusively in Maine; and

COMMITTEE AMENDMENT

1103

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(3) Programs whose primary mission is to coordinate pro bono legal services for low-income people in this State.'

Further amend the bill in section 1 in paragraph A in the last line (page 1, line 7 in L.D.) by inserting at the end the following: 'This paragraph does not apply to fees dedicated under section 17-A or section 18-B, subsection 8.'

Further amend the bill by striking out all of section 3.

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment expands the number of legal services providers that are eligible to receive funding from the Civil Legal Services Fund to include nonprofit organizations whose missions include the provision of free legal services, including the provision of civil legal services to needy people.

The bill revises the language for the collection of funds for the Civil Legal Services Fund. It provides that 7% of the fees collected by the Judicial Branch will be deposited in the Civil Legal Services Fund. This amendment clarifies that fees collected by the Judicial Branch for publications under the Maine Revised Statutes, Title 4, section 17-A and fees collected by the Court Alternative Dispute Resolution Service under section 18-A, subsection 8 are not subject to the 7% distribution to the Civil Legal Services Fund.

This amendment deletes the General Fund appropriation of \$400,000 in each of fiscal years 2005-06 and 2006-07 from the bill.

FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 715

LR 1498(02)

An Act To Provide Support For Legal Services for Low-income Mainers

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Revenue				
Other Special Revenue Funds	\$298,994	\$551,988	\$565,788	\$579,932

Fiscal Detail and Notes

Requiring 7% of any fee collected by the Judicial Department after July 1, 2005 to be deposited in the Maine Civil Legal Services Fund and take the place of the current funding formula for the fund will have no net effect on revenues for the biennium. It is estimated by the Judicial Department that both funding methods will bring in approximately \$306,000 annually. Doubling the surcharge imposed on each civil fine, penalty or forfeiture from \$5 to \$10 will result in an increase in revenue to the Civil Legal Services Fund of \$298,994 in fiscal year 2005-06 and \$551,988 in fiscal year 2006-07.