

MAINE STATE LEGISLATURE

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Date: 6/19/19

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STATE OF MAINE
SENATE
129TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 177, L.D. 214, Bill, "An Act To Increase Funding for Civil Legal Services"

Amend the amendment by striking out all of section 2 and inserting the following:

Sec. 2. 4 MRSA §18-A, sub-§3-A, ¶A, as repealed and replaced by PL 2005, c. 361, §2, is amended to read:

A. For all fees collected by the Judicial Department after ~~July 1, 2005~~ October 1, 2019, ~~7%~~ 9% must be deposited in the fund. This paragraph does not apply to fees dedicated under section 17-A or section 18-B, subsection 8 or to surcharges imposed pursuant to paragraph C.

Sec. 3. 4 MRSA §18-A, sub-§3-A, ¶C is enacted to read:

C. A surcharge of \$127 must be imposed by a court on the fee for commencement of each action for small claims or money judgment when the action is brought by a person who is a debt collector within the meaning of Title 32, section 11002, subsection 6, and the surcharge must be deposited in the fund.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Increases funding for civil legal services for persons unable to afford a lawyer by providing additional funds available for distribution by the Civil Legal Services Fund Commission pursuant to the Maine Revised Statutes, Title 4, section 18-A, subsection 1, by increasing the percentage of certain fees allocated to the Maine Civil Legal Services Fund.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$105,076	\$140,101
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$105,076</u>	<u>\$140,101</u>

SENATE AMENDMENT

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Courts - Supreme, Superior and District 0063

Initiative: Increases funding for civil legal services for persons unable to afford a lawyer by providing additional funds available for distribution by the Civil Legal Services Fund Commission pursuant to the Maine Revised Statutes, Title 4, section 18-A, subsection 1, by imposing surcharges on filing fees for debt collectors' actions.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$609,934	\$813,245
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$609,934</u>	<u>\$813,245</u>

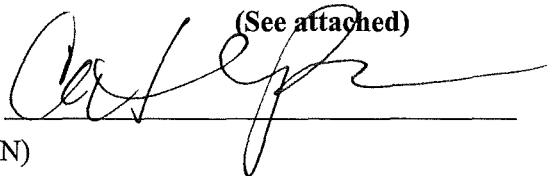
JUDICIAL DEPARTMENT		
DEPARTMENT TOTALS	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS	\$715,010	\$953,346
DEPARTMENT TOTAL - ALL FUNDS	<u>\$715,010</u>	<u>\$953,346</u>

SUMMARY

This amendment amends Committee Amendment "A" by replacing the \$5,000,000 General Fund appropriation in the committee amendment with Other Special Revenue Funds allocations of \$715,010 in fiscal year 2019-20 and \$953,346 in fiscal year 2020-21 as a result of increasing the percentage of judicial fees allocated to the Maine Civil Legal Services Fund and from revenues collected from a filing fee surcharge to be deposited in the Maine Civil Legal Services Fund.

FISCAL NOTE REQUIRED

(See attached)

SPONSORED BY: 
(Senator BREEN)

COUNTY: Cumberland



129th MAINE LEGISLATURE

LD 214

LR 1107(07)

An Act To Increase Funding for Civil Legal Services

Fiscal Note for Senate Amendment "A" to Committee Amendment "A" (5-370)

Sponsor: Sen. Breen of Cumberland

Fiscal Note Required: Yes

Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Net Cost (Savings)				
General Fund	(\$4,894,924)	(\$4,859,899)	(\$4,859,899)	(\$4,859,899)
Appropriations/Allocations				
General Fund	(\$5,000,000)	(\$5,000,000)	(\$5,000,000)	(\$5,000,000)
Other Special Revenue Funds	\$715,010	\$953,346	\$953,346	\$953,346
Revenue				
General Fund	(\$105,076)	(\$140,101)	(\$140,101)	(\$140,101)
Other Special Revenue Funds	\$609,934	\$813,245	\$813,245	\$813,245

Fiscal Detail and Notes

The amendment increases from 7% to 9% the percentage of fee revenues collected that must be credited to the Maine Civil Legal Services Fund. These revenues are currently credited to the General Fund, resulting in an anticipated \$140,101 in lost revenue to the General Fund annually. The amendment also removes General Fund appropriations of \$5,000,000 included in the bill, and increases certain fees collected by the judicial branch that are credited to the Fund. The amendment includes Other Special Revenue Funds allocations to the Fund of \$715,010 in Fiscal Year 2019-20 and \$953,346 in Fiscal Year 2020-21.