

MAINE STATE LEGISLATURE

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(EMERGENCY)

N I N E T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 1359

S. P. 487

In Senate, May 6, 1959

Reported by Senator Weeks of Cumberland from the Committee on Judiciary.
Printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Empowering the Supreme Judicial Court to Promulgate Rules.

Emergency preamble. Whereas, the 98th Legislature authorized the Supreme Judicial Court to promulgate rules of practice and procedure in civil actions; and

Whereas, there is pending before the 99th Legislature a bill to amend the Revised Statutes in accordance with the rules to be promulgated by the Supreme Judicial Court; and

Whereas, it is vitally necessary that such rules be promulgated and become effective after public distribution and information have been made available; and

Whereas, it is imperative that the following legislation be enacted to prevent inconsistencies between such rules and the statutes in order to prevent hardship on the substantive rights of the inhabitants of Maine who may be or become litigants; and

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 preservation of the public peace, health and safety; now, therefore,

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

R. S., c. 103, § 7-A, amended. The last sentence of the first paragraph of section 7-A of chapter 103 of the Revised Statutes, as enacted by chapter 159 of the public laws of 1957, is repealed and the following sentences enacted in place thereof:

'They shall take effect on such date not less than 6 months after their promulgation as the Supreme Judicial Court may fix. After their promulgation the Supreme Judicial Court may repeal, amend, modify or add to them from time to time with or without a waiting period. After the effective date of said rules as promulgated or amended, all laws in conflict therewith shall be of no further force or effect.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.