

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

An Act to Amend the Laws Governing the Required Qualifications to Practice Law in the State

CARRIED OVER

SPONSOR(S)FOSS
PEARSON
PARADIS P**COMMITTEE REPORT****AMENDMENTS ADOPTED****SUMMARY**

The bill amends the law governing admission of attorneys to the bar and creates a rebuttable presumption that a person who has been convicted of a crime punishable by a year or more in prison should not be allowed to practice law. The presumption may be rebutted by evidence of a pardon or extraordinary circumstances surrounding the crime or by the passage of time coupled with evidence of complete rehabilitation.

LD 1553**An Act to Expand the Duties of the Judicial Council to Include Implementing the Recommendations of the Commission to Study the Future of Maine's Courts and to Implement Certain Other Recommendations of the Commission**PUBLIC 401
EMERGENCY**SPONSOR(S)****COMMITTEE REPORT****AMENDMENTS ADOPTED**

H-621 COTE

SUMMARY

The bill is the unanimous recommendation of the Joint Standing Committee on Judiciary, and takes the place of Legislative Document 1373, which would have established a separate temporary commission to guide the implementation of the recommendations of the Commission to Study the Future of Maine's Courts. The bill instead directs the Judicial Council to carry out those functions and adds to the membership of the Judicial Council to include members of or participants in the commission's work. No additional appropriation is necessary if these duties are absorbed by the Judicial Council.

The bill also covers 3 recommendations included by the Commission to Study the Future of Maine's Courts in Legislative Document 1354.

1. An interim advisory committee on alternative dispute resolution and negotiated rulemaking is created. It is smaller than that included in Legislative Document 1354, but still requires that General Fund money not be used.
2. The jurisdictional limit for small claims cases is raised from \$1,400 to \$3,000, and the Joint Standing Committee on Judiciary is required to review the limit, with the help of the Judicial Department, every 4 years.
3. The family court project, started in 1990 at the same time the Commission to Study the Future of Maine's Courts was established, is continued until 1999.

House Amendment "A" (H-621) adds two provisions inadvertently omitted from the bill as printed and adds a fiscal note.

Enacted without reference to committee.