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Date: (Filing No. S-)

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**STATE OF MAINE
SENATE
129TH LEGISLATURE
FIRST REGULAR SESSION**

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Sec. 2. 4 MRSA §18-A, sub-§3-A, ¶A, as repealed and replaced by PL 2005, c. 361, §2, is amended to read: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

1 **Courts - Supreme, Superior and District 0063**

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

| | | | |
|---|--|------------------|------------------|
| 6 | OTHER SPECIAL REVENUE FUNDS | 2019-20 | 2020-21 |
| 7 | All Other | \$609,934 | \$813,245 |
| 8 | | | |
| 9 | OTHER SPECIAL REVENUE FUNDS TOTAL | <u>\$609,934</u> | <u>\$813,245</u> |

| | | | |
|----|-------------------------------------|-------------------------|-------------------------|
| 10 | JUDICIAL DEPARTMENT | | |
| 11 | DEPARTMENT TOTALS | 2019-20 | 2020-21 |
| 12 | | | |
| 13 | OTHER SPECIAL REVENUE FUNDS | \$715,010 | \$953,346 |
| 14 | | | |
| 15 | DEPARTMENT TOTAL - ALL FUNDS | <u>\$715,010</u> | <u>\$953,346</u> |
| 16 | | | |

17 **SUMMARY**

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

24 **FISCAL NOTE REQUIRED**

25 **(See attached)**

26 SPONSORED BY: _____

27 (Senator BREEN)

28 COUNTY: Cumberland