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**STATE OF MAINE
SENATE
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 182, L.D. 602, Bill, “An Act To Clarify the Method of Appealing Decisions of the Executive Director of the Maine Commission on Indigent Legal Services”

Amend the bill in section 1 in paragraph J by striking out all of the last blocked paragraph (page 1, lines 15 to 19 in L.D.) and inserting the following:

'All decisions of the commission, including decisions on appeals under subparagraphs (1), (2) and (3), constitute final agency action. All decisions of the executive director, or the executive director's designee, other than decisions appealable under subparagraphs (1), (2) and (3), constitute final agency action.'

SUMMARY

This amendment revises the administrative appeal process proposed in the bill for some decisions of the executive director, or the executive director's designee, of the Maine Commission on Indigent Legal Services.

The bill proposed that an attorney could appeal a decision on a waiver of eligibility requirements to a panel of 2 members of the commission. This amendment instead provides that all 3 categories of decisions made by the executive director or the executive director's designee are appealed to the full commission. All commission decisions, including decisions on these appeals, constitute final agency action for purposes of review under the Maine Administrative Procedure Act. In addition, the amendment clarifies that all decisions of the executive director or the executive director's designee, other than the 3 categories of decisions appealable to the commission, constitute final agency action.

COMMITTEE AMENDMENT