

MAINE STATE LEGISLATURE

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(New Title)
New Draft of S. P. 85, L. D. 256

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 762

S. P. 245

In Senate, February 25, 1975

Reported by Senator Collins of Knox from the Committee on Judiciary and printed under Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Clarify and Extend the Equitable Jurisdiction of the District Court in Certain Civil Actions Involving Title to Real Estate.

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

Sec. 1. 4 MRSA § 152, first sentence of first ¶, as last amended by PL 1971, c. 544, § 6, is further amended to read:

This District Court shall possess the civil and criminal jurisdiction exercised by all trial justices and municipal courts in the State on September 16, 1961, and in addition, original jurisdiction, concurrent with that of the Superior Court of all civil actions in which neither damages in excess of \$20,000 nor, ~~except as herein provided, equitable relief is demanded; of proceedings under Title 14, sections 6651 to 6658 and~~ of actions for divorce or annulment of marriage and of proceedings under Title 19; ~~and~~ original jurisdiction, concurrent with that of the probate court, of actions for separation; original jurisdiction, concurrent with that of the Superior Court, of actions to quiet title to real estate under Title 14, sections 6651 through 6658, and in such actions the District Court may grant equitable relief; and original jurisdiction, concurrent with that of the Superior Court, of actions to quiet title to real estate under Title 36, section 946, and in such actions the District Court may grant equitable relief.

Sec. 2. 36 MRSA § 946, sub-§ 3 is amended to read:

3. Jury. ~~At the trial of the cause~~ If the cause is tried in the Superior Court, issues of fact may be framed upon application of any party to be tried by a jury whose verdict shall have the same effect as the verdict of a jury in other civil actions.

STATEMENT OF FACT

The purpose of this bill is to confirm the intent of the Legislature to confer jurisdiction upon the District Court to grant equitable relief in actions to quiet title brought under Title 14, sections 6655 through 6658, and to extend the jurisdiction of the District Court to actions to quiet title to real estate which has been acquired at a tax sale or by foreclosure of a tax lien mortgage.