

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-193)  
109TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P.  
601, L.D. 748, Bill, "AN ACT Concerning Appeals to the  
Superior Court."

Amend the amendment by striking out all of the first  
3 lines of the 2nd paragraph and inserting in its place  
the following:

'Sec. 1. 14 MRSA §6008, last sentence, is repealed  
and the following enacted in its place:

When the defendant appeals, the Superior Court Judge may  
stay the issuance of a writ of possession pending disposition of the appeal.'

Further amend the amendment by inserting at the end  
before the Statement of Fact the following:

'Sec. 2. 14 MRSA §6009 is repealed and the following  
enacted in its place:

§6009. Judgment for plaintiff; possession on recognizance;  
damages

When judgment is rendered for the plaintiff a writ of  
possession may issue in all cases if he recognizes to the  
defendant in the manner before provided, conditioned to pay  
all such damages and costs as may be awarded against him if  
final judgment is rendered for the defendant. When either  
party appeals, the plaintiff may give evidence of any claim  
for rent of the premises, to be set off against damages  
claimed by the defendant.'

Statement of Fact

This amendment amends another section of statute and retains one sentence in that repealed section that authorizes set off of rent owed against damages claimed by the defendant.

Filed by Mr. Stetson of Wiscasset  
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