

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-181)
109TH LEGISLATURE
FIRST REGULAR SESSION

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

Amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'14 MRSA §6008, last sentence, is repealed and the following enacted in its place:

When the defendant appeals, the judge may stay the issuance of a writ of possession pending disposition of the appeal. The judge shall, in all appropriate cases, condition the granting and continuation of the stay on the defendant's payment of the rent for the premises into an escrow account to be administered by the clerk of the Superior Court. The appeal decision or an agreement of the parties shall provide for the disposition of the escrowed rent.

Statement of Account

This amendment provides that when a tenant appeals a judgment in a forcible entry and detainer action, he will continue to pay his rent into an escrow account if he remains on the premises during the appeal. The present statutory provision requires the defendant to post a bond for costs and reasonable rent pending the appeal. This provision is repealed.

Reported by the Committee on Judiciary
Reproduced and distributed under the direction of the
Clerk of the House.

4/6/79 (Filing No. H-181)