

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 446, L.D. 611, Bill, "An Act to Clarify Procedural Aspects of the Forcible Entry and Detainer Law"

Amend the bill in section 1 in the first paragraph in the 3rd line (page 1, line 8 in L.D.) by striking out the following: "7" and inserting in its place the following: '7 10'

Further amend the bill in section 1 in the first paragraph in the last line (page 1, line 11 in L.D.) by inserting after the underlined word "all" the underlined word 'known'

Further amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 14 MRSA §6005, as amended by PL 1981, c. 428, §6, is further amended by adding after the first paragraph a new paragraph to read:

An additional writ of possession may be issued by the clerk at the request of the plaintiff after issuance of the first writ.'

STATEMENT OF FACT

This amendment expands the period in which a court must hold a hearing in an eviction proceeding to up to 10 days after the return day. The bill requires the defendant to file a written answer discussing all defenses. This amendment modifies that requirement to include only defenses known at the time the written answer is filed.

This amendment also retains the provisions of current law concerning writs of possession, and additionally provides that a duplicate writ of possession may be issued. This will avoid problems encountered under the current law when the wrong person picked up the only writ issued.