

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

**PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE
3, SECTION 164, SUBSECTION 6.**

K.J. Printing Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TENTH LEGISLATURE

1981

20 MRSA § 3471-A is enacted to read:

§ 3471-A. Suits challenging school bond issues; security required

In any action challenging the validity of the issuance of bonds for a school construction project authorized and approved under this chapter, or seeking to enjoin the commencement, construction or completion of any such school construction project, if the court has granted a motion to dismiss or granted summary judgment against the plaintiff, the court may require the plaintiff to provide security during the period of any appeal from such judgment to cover any costs or damages as may be incurred or suffered by any party resulting from delay of the project, including any loss of purchasing power during the period of delay. In determining the amount of security to be required, the court shall consider a recognized index of building costs, the consumer price index and other relevant evidence concerning the cost of the project and the estimated period of delay during the appeal.

Effective September 18, 1981

CHAPTER 389

H. P. 1039 — L. D. 1258

AN ACT to Revise the Debtor-Creditor Laws to Facilitate the Legal Collection of Debts.

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

Sec. 1. 14 MRSA § 3122, as last amended by PL 1973, c. 477, §§ 1 and 2, is repealed and the following enacted in its place:

§ 3122. Subpoena to appear and disclose

A judgment creditor may, for the purpose of a hearing, subpoena the judgment debtor to appear before a Judge of the District Court in the division in which the judgment debtor or judgment creditor resides, or, if the judgment debtor is a nonresident of this State, in the division in which he is commorant, or in the case of a corporation, in the division in which the corporation has an established place of business or if the corporation has no established place of business in this State, then, in any division in which a civil summons could be served on the corporation. The subpoenas shall be issued in blank by the clerks of the District Courts in the manner of the issuance of summons, and shall be in substantially the following form:

SUBPOENAS

STATE OF MAINE

DISTRICT COURT

District

.....,ss.

Division.....

TO:

.....

.....

You are hereby required, in the name of the State of Maine, to appear before the Judge of the District Court, Division of on the day of, 19....., at.....o'clock in the..... noon, to disclose on oath, what assets and income you have which may be used to satisfy a judgment recovered against you in the.....Court on the..... day of , 19....., bythis judgment being in the amount of..... plus costs of Court in the amount of..... and forexecution(s) issued on this judgment.

YOU ARE COMMANDED to produce at the examination
.....
.....
.....
.....
.....

FAILURE TO APPEAR IN COURT MAY RESULT IN YOUR ARREST AND MAY ALSO RESULT IN A LIEN BEING PLACED AGAINST YOUR PROPERTY TO SECURE PAYMENT OF THIS JUDGMENT.

Dated at, Maine thisday of, 19

Name of Plaintiff's Attorney
Address.....
.....
Telephone.....

Clerk

RETURN OF SERVICE

STATE OF MAINE

....., ss., 19

I have this day made service on the within named by giving in hand ato'clock in thenoon, a true copy of the within subpoena.

.....
Deputy Sheriff

Fees:

Service.....

Travel.....

Sec. 2. 14 MRSA § 3123, as amended by PL 1973, c. 477, § 3, is further amended by adding at the end 2 new sentences to read:

If in-hand service cannot be made upon the debtor, the court, for good cause shown, may order that service be made by any method by which civil summons may be made, and the court shall specify that method. That order for alternative service shall issue only upon written motion and the order and return of service shall be filed together with the subpoena pursuant to section 3126.

Sec. 3. 14 MRSA § 3137, as amended by PL 1973, c. 477, § 9, is further amended by adding at the end a new paragraph to read:

The State, its municipalities, agencies and subdivisions shall not be exempt from orders under this section.

Effective September 18, 1981

CHAPTER 390

H. P. 1108 — L. D. 1313

AN ACT Concerning Access by Adopted Children to Biological Family Medical Files.

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

Sec. 1. 19 MRSA § 533, as last amended by PL 1979, c. 733, § 11, is further amended by adding after the first sentence a new sentence to read:

The department or licensed adoption agency shall obtain whatever medical or genetic information on the child and the parents that is available.

Sec. 2. 19 MRSA § 533, as last amended by PL 1979, c. 733, § 11, is further amended by adding after the 3rd sentence a new sentence to read:

Any available medical or genetic information on the child or parents shall be placed in the court records and shall be supplied to the adoptive parents.

Sec. 3. 19 MRSA § 534 is amended by adding at the end a new paragraph to read: