

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 electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2021

CHAPTER 381
H.P. 324 - L.D. 448

An Act Regarding Recording
of Witness Interviews

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

Sec. 1. 25 MRSA §2803-B, sub-§1, ¶K-1 is
enacted to read:

K-1. Digital, electronic, audio, video or other re-
cording of law enforcement interviews of witnesses
in murder investigations and Class A, Class B and
Class C crime investigations and the preservation
of records in such investigations. A policy adopted
under this paragraph may not require the recording
of all witness interviews, but must factor in the fea-
sibility of recording individual interviews, taking
into account the circumstances of the witness, the
time and place of the interview and the crime as
well as the capability of the law enforcement
agency to record the interview;

See title page for effective date.

CHAPTER 382
H.P. 542 - L.D. 737

An Act To Increase the Value
of Property Exempt from
Attachment and Execution

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

Sec. 1. 14 MRSA §3126-A, sub-§3, ¶B, as
enacted by PL 1999, c. 587, §3, is amended to read:

B. The amount by which the sum of disposable
earnings and exempt income for that week exceeds
40 times the minimum hourly wage prescribed by
29 United States Code, Section 206(a)(1) or the
state minimum hourly wage prescribed by Title 26,
section 664, whichever is higher at the time the
earnings are payable; or

Sec. 2. 14 MRSA §4422, as amended by PL
2017, c. 177, §§1 to 4 and c. 209, §1 and corrected by
RR 2017, c. 1, §7, is further amended to read:

§4422. Exempt property

The following property is exempt from attachment
and execution, except to the extent that it has been
fraudulently conveyed by the debtor:

1. **Residence.** A debtor's residence. The exemp-
tion of a debtor's residence is subject to this subsection.

A. Except as provided in paragraph B, the debtor's
aggregate interest, not to exceed ~~\$47,500~~ \$80,000

in value, in real or personal property that the debtor
or a dependent of the debtor uses as a residence, in
a cooperative that owns property that the debtor or
a dependent of the debtor uses as a residence, or in
a burial plot for the debtor or a dependent of the
debtor, except that if minor dependents of the
debtor have their principal place of residence with
the debtor, the debtor's aggregate interest may not
exceed ~~\$95,000~~ \$160,000 and except that if the
debtor's interest is held jointly with any other per-
son or persons, the exemption may not exceed in
value the lesser of ~~\$47,500~~ \$80,000 or the product
of the debtor's fractional share times ~~\$95,000~~
\$160,000.

B. The debtor's aggregate interest, not to exceed
~~\$95,000~~ \$160,000 in value, in property described
in paragraph A, if the debtor or a dependent of the
debtor is either a person 60 years of age or older or
a person physically or mentally disabled and
because of such disability is unable to engage in
substantial gainful employment and whose disabili-
ty has lasted or can be expected to last for at least
12 months or can be expected to result in death; ex-
cept that if the debtor's interest is held jointly with
any other person or persons, the exemption may not
exceed in value the lesser of ~~\$95,000~~ \$160,000 or
the product of the fractional share of the debtor's
interest times ~~\$190,000~~ \$240,000. ~~This paragraph
does not apply to liens obtained prior to its effec-
tive date or to judgments based on torts involving
other than ordinary negligence on the part of the
debtor. If the property is both the surviving owner's
and deceased joint owner's primary residence, the
maximum exemption for debtors who are joint
owners may not be reduced due to the death of one
of the joint owners when either:~~

(1) The deceased joint owner dies at 67 years
of age or older and the surviving joint owner is
at least 60 years of age; or

(2) The surviving joint owner is at least 67
years of age.

C. That portion of the proceeds from any sale of
property ~~which~~ that is exempt under this section
~~shall be~~ is exempt for a period of ~~6~~ 12 months from
the date of receipt of such proceeds for purposes of
reinvesting in a residence within that period.

D. Any exemption claimed under this subsection
does not apply to judgments based on torts involv-
ing other than ordinary negligence on the part of
the debtor.

E. The amount of any exemption claimed under
this subsection is limited to the amount of the ex-
emption in effect on the date of the recording of the
lien on the property against which the exemption is
claimed;