

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT TO GRANT JUDGES THE AUTHORITY TO STAY
417 A LICENSE SUSPENSION FOR A PERIOD OF TIME
NOT TO EXCEED 4 HOURS

PL 1987
c. 39

Sponsor: CONLEY, Marsano
Committee Report: OTP

SUMMARY: LD 417 proposed to allow Judges to stay a court-ordered driver's license suspension for up to 4 hours after the order is issued.

LD AN ACT TO AMEND THE LAWS PERTAINING TO THE
429 ENFORCEMENT OF MONEY JUDGMENTS

LVWD

Sponsor: MANNING, Gauvreau
Committee Report: LVWD

SUMMARY: The bill sought to revise the procedures for enforcing money judgments to permit the service of a motion to appear in court on a judgment debtor by a judgment creditor when the judgment debtor has failed to appear in response to a subpoena to attend a hearing to disclose his income and assets. Current law requires the court, upon a judgment debtor's failure to appear at a disclosure hearing and at a judgment creditor's request, to issue an order to the sheriff to bring in the judgment debtor to a hearing. This order, a *capias*, under this bill would have been available after a finding of contempt against the judgment debtor for again failing to appear after receiving the judgment creditor's motion. The bill also sought to strengthen the ability of a judgment creditor to receive a court order to withhold earnings directed at an employer or other payor of a judgment debtor. LD 874 incorporates some of the suggestions in this bill.

LD AN ACT TO STREAMLINE THE DEBT COLLECTION
434 PROCEDURE

LVWD

Sponsor: WARREN, Paradis, P., Stevens, P., Dillenback
Committee Report: LVWD

SUMMARY: The bill sought to amend the procedure for enforcement of money judgments by removing the requirement of the issuance of a *capias* (an order to the sheriff to cause the judgment debtor to appear in court at a certain time and place) when a judgment debtor fails to appear on a subpoena for a disclosure hearing for enforcement of such a judgment. The concerns raised in this bill were addressed