

MAINE STATE LEGISLATURE

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**STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION**



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
JUDICIARY
JULY 1989**

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Sen. Muriel D. Holloway

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*** Denotes Chair**

Staff: Margaret J. Reinsch, Legislative Analyst

**Office of Policy & Legal Analysis
Room 101, State House Sta. 13
Augusta, ME 04333
(207) 289-1670**

MARTHA E. FREEMAN, DIRECTOR
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STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 289-1670

ANNIKA E. LANE
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ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

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 for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

House Amendment "B" (H-319) clarified that the Human Rights Act does not promote or condone any lifestyle or confer any special privileges. (Not adopted in Senate)

LD 502 An Act to Amend the Law Regarding Shoplifters

PUBLIC 122

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
MARSH BUTLAND CLARK N HASTINGS	OTP-AM	H-87

SUMMARY

The bill provides that a store owner, manager or supervisor, or that person's designee, can detain a person suspected of shoplifting.

Committee Amendment "A" (H-87) makes technical corrections and moves the language on warrantless arrests to the criminal code (17-A MRSA §15).

LD 605 An Act Relating to the Division of Southern York of the 10th
Maine District Court

PUBLIC 98

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
WENTWORTH HOBBINS	OTP-AM	H-88

SUMMARY

The bill transfers the municipality of Wells from the Division of Eastern York to the Division of Southern York.

Committee Amendment "A" (H-88) deletes Wells from the Division of Eastern York.

LD 611 An Act to Clarify Procedural Aspects of the Forcible Entry
and Detainer Law

PUBLIC 452

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
HANDY PARADIS P BERUBE DILLENBACK	OTP-AM	H-265

SUMMARY

Section 1 of the bill requires the court to schedule and hold a hearing in an eviction proceeding within 7 days. A defendant must file a written answer enumerating all defenses on or before the return day. Section 2 of the bill requires a court to issue the writ of possession within 5 days of judgment, and allows issuance of a 2nd writ.

Committee Amendment "A" (H-265) requires that the defendant's written answer need list only those defenses known at the time of filing. It also deletes the requirement that the writ be issued within 5 days (which is covered by Maine Rules of Civil Procedure).