

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

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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.

LD 656 An Act to Promote Equity in the Court Adjudication of
Alimony Awards

PUBLIC 250

SPONSOR(S)
DORE
CLARK M
BRANNIGAN
HOLLOWAY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-276

SUMMARY

The bill listed a set of factors that a court must consider in setting or reviewing alimony awards.

Committee Amendment "A" (H-276) replaced the text of the bill. It revises several factors listed, and delays the effective date until January 1, 1990.

LD 664 An Act to Increase the Residence Exemption for Elderly and
Disabled Persons

PUBLIC 286

SPONSOR(S)
CONLEY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-303

SUMMARY

The bill increases the residence exemption from attachment to \$60,000 for elderly and disabled persons.

Committee Amendment "A" (H-303) revises the definition of "disabled" and provides that the increased exemption does not apply to tort actions involving anything other than ordinary negligence.

LD 671 An Act to Provide Written Notice to Creditors Under the
Maine Probate Code

CARRY OVER

SPONSOR(S)
CONLEY
BRANNIGAN

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

The bill revises the notice provisions in the Probate Code to comply with the U.S. Supreme Court decision in Tulsa Professional Collection Services v. Pope. The bill is carried over to wait until the Uniform Laws Conference adopts language (scheduled for August).

LD 680 An Act to Protect Civil Litigants

LV/WD

SPONSOR(S)
SEAVEY
HANLEY

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

The bill would limit the total contingent fee a lawyer could charge in a civil case to 25% of the total award, not including litigation expenses.