

MAINE STATE LEGISLATURE

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



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
LEGAL AFFAIRS**

JULY 1989

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Sen. Robert G. Dillenback

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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.

assessed against a party who prosecutes a frivolous appeal. The bill also requires a party seeking a jury trial to file affidavits which specify the questions of fact to be tried to the jury.

Committee Amendment "A", considered and adopted after the Law Court's resolution of the Merrithew case, in which the Law Court did in fact find that a right to trial by jury exists in an FED action, amends the bill's provisions regarding procedures for securing the right to a jury trial and adds an emergency clause and preamble. The amendment requires a defendant to pay into escrow only current rent as it comes due during the pendency of the appeal. The amendment requires the Superior Court to condition its stay of the writ of possession on payment of current rent into escrow and, in appropriate cases, the defendant's promise to refrain from damage to the property. The amendment allows the Superior Court to authorize payment out of the escrow for expenses related to the premises. The amendment removes the bill's provisions regarding frivolous appeals and filing of affidavits. The amendment also asks the Law Court to promulgate rules of court prescribing rules of procedure for appeals of FED decisions.

LD 1499 **An Act to Remove Restrictions from Beano Revenues of Nonprofit Organizations** **LV/WD**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
CARTER JOSEPH JACQUES MATTHEWS	LV/WD	

SUMMARY
This bill removes all restrictions on use of "beano" or "bingo" revenues earned by nonprofit organizations.

LD 1536 **An Act to Allow Employers to Collect a Service Charge for Debt Collection from Employees** **ONTP**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
SMITH ALLEN MELENDY GRAHAM	ONTP	

SUMMARY
This bill allows an employer, who has been ordered by a court to pay part of an employee's earnings to a creditor, to charge the employee a fee of up to \$5 for each payment.

LD 1579 **An Act Regarding the Training Costs of Police Officers** **PUBLIC 454**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
MCPHERSON ESTES	OTP-AM	H-585

SUMMARY
This bill amends the definition of "training costs" to be reimbursed by a municipality which hires a law enforcement officer whose training was paid for by another municipality. The bill allows recovery of