

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1

L.D. 1944

2
3
4
5

STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-713)
110TH LEGISLATURE
SECOND REGULAR SESSION

6
7
8

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT
"A" to H.P. 1969, L.D. 1944, Bill, "AN ACT to Clarify the
Criminal Restraint by Parent Law."

9
10

Amend the amendment by inserting after the first para-
graph after the title the following:

11
12
13

'Sec. 1. 17-A MRSA §303, sub-§1, as enacted by PL
1979, c. 512, §26, is repealed and the following enacted in
its place:

14
15
16

1. A person is guilty of criminal restraint by parent
if, being the parent of a child under the age of 16, and
knowing he has no legal right to do so, he:

17
18
19
20
21

A. Takes, retains or entices the child from the cus-
tody of his other parent, guardian or other lawful cus-
todian with the intent to remove the child from the
State or to secrete him and hold him in a place where
he is not likely to be found; or

22
23
24
25
26
27
28
29

B. Takes, retains or entices the child from the cus-
tody of his other parent, guardian or other lawful cus-
todian, whose custodial authority was established by a
court of this State, in the state in which the child is
residing with his legal custodian with the intent to
remove the child from that state or to secrete him and
hold him in a place where he is not likely to be
found.'

30
31

Further amend the amendment by renumbering the sections
to read consecutively.

1 HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to
2 H.P. 1969, L.D. 1944

3 STATEMENT OF FACT

4 The purpose of this amendment is to clarify current law
5 to make it a violation of Maine criminal law for a
6 noncustodial parent to take and hide a child from his custo-
7 dial parent or guardian, if the criminal conduct starts out-
8 side of the State.

9

5463032982

Filed by Mr. Tarbell of Bangor.
Reproduced and distributed under the direction of the Clerk of
the House.

3/30/82

(Filing No. H-713)