MAINE STATE LEGISLATURE

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L.D. 862

_	2.2. 002
2	DATE: 5-7-01 (Filing No. H-334)
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6	MAJOL ITY JUDICIARY
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10	Reproduced and distributed under the direction of the Clerk of the House.
L2	STATE OF MAINE
L4	HOUSE OF REPRESENTATIVES
1.6	120TH LEGISLATURE
L6	FIRST REGULAR SESSION
L8	\mathcal{O}
	COMMITTEE AMENDMENT "H" to H.P. 662, L.D. 862, Bill, "Ar
20	Act to Clarify the Jurisdiction and Qualifications for Protection
22	from Abuse Hearings"
	Amend the bill by striking out the title and substituting
24	the following:
6	'An Act to Prohibit Appointment of Referees in Protection from Abuse and Protection from Harassment Actions'
8	ADUSE and ITOGECTION ITOM DATASSMENT ACCIONS
	Further amend the bill by striking out everything after the
0	title and before the enacting clause (page 1, lines 2 to 18 in
,	L.D.)
2	Further amend the bill by striking out everything after the
1	enacting clause and before the summary and inserting in its place
	the following:
5	
)	'Sec. 1. 5 MRSA §4658, sub-§5 is enacted to read:
8	5. Referee. The court may not mandate appointment of
)	referees in actions brought under this chapter. If an action
	under this chapter is joined with another proceeding, this
2	subsection does not prohibit the court from mandating appointment
_	of a referee on any issue, other than harassment, that is part of
1	the other proceeding.
6	Sec. 2. 19-A MRSA §4010, sub-§5, as enacted by PL 1995, c.
J	694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:
	or -, and by the area arrected by the by ye, an amounted to read.

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5. Mediation and referees. The court may not mandate
mediation or appointment of referees in actions brought under
this chapter. If an action under this chapter is joined with
another proceeding pursuant to subsection 2, this subsection does
not prohibit the court from mandating mediation or the
appointment of a referee on any issue, other than abuse, that is
part of the other proceeding.'

SUMMARY

This amendment replaces the bill. It clarifies that a court does not have the authority to refer the issues of abuse and harassment in protection from abuse and protection from harassment actions to a referee.

18 If the protection from harassment action is joined with any other proceeding, the court may refer issues, other than 20 harassment, that are part of the other proceeding to a referee.

If the protection from abuse action is joined with a proceeding for divorce, dissolution of marriage, legal separation or separate maintenance, the court may refer issues, other than abuse, that are part of the other proceeding to mediation or a referee.

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