

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1245

H.P. 863

House of Representatives, March 10, 2005

Resolve, To Increase Safety for Domestic Abuse Victims

(EMERGENCY)

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BARSTOW of Gorham.
Cosponsored by Senator HOBBS of York and
Representatives: BISHOP of Boothbay, BURNS of Berwick, CAIN of Orono, FARRINGTON
of Gorham, GROSE of Woolwich, PATRICK of Rumford, PELLETIER-SIMPSON of
Auburn, SAVIELLO of Wilton.

2 **Emergency preamble.** Whereas, acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

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6 **Whereas,** this resolve directs the Office of the Attorney
General and the Department of Public Safety to review unfunded
mandates; and

8
10 **Whereas,** the review must be initiated before the 90-day
period expires in order that the review may be completed and a
report prepared in time for submission to the next legislative
session; and

14 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore, be it

20 **Sec. 1. Conduct study. Resolved:** That the Office of the
Attorney General and the Department of Public Safety, referred to
in this resolve as "the working group," shall work together to
study ways to increase safety for domestic abuse victims. In
conducting its study, the working group shall:

26 1. Study and recommend ways to make search and seizure
procedures more consistent among state, county and local law
enforcement agencies;

30 2. Study the laws governing gun possession by domestic
abusers;

32 3. Develop procedures for counseling abusers; and

34 4. Review the protection from abuse order process and
36 recommend ways to amend it; and be it further

38 **Sec. 2. Participation of other entities. Resolved:** That the working
group may seek information from all related state agencies; and
be it further

42 **Sec. 3. Report. Resolved:** That, no later than December 7,
2005, the working group shall submit a report that includes its
findings and recommendations, including suggested legislation,
for presentation to the Second Regular Session of the 122nd
Legislature. In its proposed legislation, the working group may
include proposals to amend laws to strengthen gun control, to
48 speed up the process of protection orders and to make the
application process easier for individuals filing a protection

2 from abuse order. The working group is authorized to introduce
legislation.

4 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.

6
8 **SUMMARY**

10 This resolve directs the Office of the Attorney General and
12 the Department of Public Safety to study ways to increase safety
for domestic abuse victims and to submit a report to the Second
Regular Session of the 122nd Legislature by December 7, 2005.