

MAINE STATE LEGISLATURE

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L.D. 988

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Date: 5/30/07

(Filing No. H-376)

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JUDICIARY

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

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123RD LEGISLATURE

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FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 748, L.D. 988, Bill, "An Act To Improve the Protection from Abuse Laws"

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Amend the bill in section 5 in subsection 1 by striking out the first paragraph (page 3, lines 3 to 10 in L.D.) and inserting the following:

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'1. Protection order; consent agreement. The court, after a hearing and upon finding that the defendant has committed the alleged abuse or engaged in the alleged conduct described in section 4005, subsection 1, may grant a protective order or, upon making that finding, approve a consent agreement to bring about a cessation of abuse or the alleged conduct. This subsection does not preclude the parties from voluntarily requesting a consent agreement without a finding of abuse. The court may enter a finding that the defendant represents a credible threat to the physical safety of the plaintiff or a minor child residing in the plaintiff's household. Relief granted under this section may include:'

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SUMMARY

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This amendment clarifies that the alleged conduct on which a protection from abuse order may be based includes stalking as set out in the Maine Criminal Code, which is referenced in the Maine Revised Statutes, Title 19-A, section 4005, subsection 1, as amended in the bill.