

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 1 in subsection 5 in the 9th line (page 1, line 12 in L.D.) by inserting after the following: "or" the following: 'chief administrative officer of the'

Amend the bill in section 1 in subsection 5 in the 9th line (page 1, line 12 in L.D.) by inserting after the following: "facility" the following: 'or the chief administrative officer's designee'

Amend the bill by inserting after section 1 the following:

‘**Sec. 2. 5 MRSA §4655, sub-§6,** as amended by PL 1999, c. 542, §2, is further amended to read:

**6. Service of order or consent decree.** The court shall order a law enforcement agency; or, if the defendant is present in the courthouse, a court security officer qualified pursuant to Title 4, section 17, subsection 15; or, if the defendant is in the custody of the Department of Corrections, the chief administrative officer or the chief administrative officer's designee at the correctional facility, to serve the defendant personally with ~~anya~~ protective order or consent decree.’

Amend the bill in section 2 in §1326-A in the 2nd line (page 1, line 18 in L.D.) by striking out the following: "placed on" and inserting the following: 'does not receive a sentence that includes a period of'

Amend the bill in section 2 in §1326-A in the 6th line (page 1, line 22 in L.D.) by striking out the following: "committed to the Department of Corrections or placed on" and inserting the following: 'placed on committed to the Department of Corrections or receives a sentence that includes a period of'

Amend the bill in section 4 in subsection 6 in the 9th line (page 2, line 14 in L.D.) by inserting after the following: "or" the following: 'chief administrative officer of a'

Amend the bill in section 4 in subsection 6 in the 9th line (page 2, line 14 in L.D.) by inserting after the following: "facility" the following: 'or the chief administrative officer's designee'

Amend the bill by inserting at the end before the summary the following:

‘**Sec. 5. 19-A MRSA §4007, sub-§6,** as amended by PL 1999, c. 67, §2, is further amended to read:

**6. Service of order or consent decree.** The court shall order a law enforcement agency; or, if the defendant is present in the courthouse, a court security officer qualified pursuant to Title 4, section 17, subsection 15; or, if the defendant is in the custody of the Department of Corrections, the chief administrative officer or the chief administrative officer's designee at the correctional facility, to serve the defendant personally with a protective order or consent decree.’

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## SUMMARY

This amendment clarifies that the chief administrative officer or the officer's designee is authorized to serve protection from abuse or protection from harassment orders on persons that are incarcerated in a Department of Corrections facility. The amendment also clarifies that this service applies to both temporary and permanent orders.