

Date:

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## VETERANS AND LEGAL AFFAIRS

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### STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 433, L.D. 665, “An Act Regarding the Use of Military Protective Orders in Protection from Abuse and Protection from Harassment Proceedings”

Amend the bill by striking out all of section 2 and inserting the following:

**'Sec. 2. 5 MRSA §4654, sub-§2,** as amended by PL 2011, c. 559, Pt. C, §§4 and 5, is further amended by enacting at the end a new first blocked paragraph to read:

In making the determination required under paragraph A, the court may consider the existence of an active military protective order.'

Amend the bill by striking out all of section 7.

Amend the bill in section 8 in subsection 1 in the 5th and 6th lines (page 2, lines 12 and 13 in L.D.) by striking out the following: "or the existence of an active military protective order on behalf of the plaintiff against the defendant"

Amend the bill in section 8 in subsection 1 in the 6th line (page 2, line 13 in L.D.) by inserting after the following: "cause." the following: "In determining whether good cause exists, the court may consider the existence of an active military protective order."

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

### SUMMARY

This amendment provides that the court may consider the existence of a military protective order when determining whether to grant a request for a temporary protection order in protection from abuse and protection from harassment hearings, rather than relying on a military protective order as the sole basis for a temporary protection order under the protection from abuse and protection from harassment statutes, as proposed in the bill.