

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 635, L.D. 860, Bill, "An Act to Extend the Waiting Period for Obtaining a Divorce"

Amend the bill by striking out all of section 1.

Further amend the bill in section 2 in that part designated "~~§908.~~" in the last 2 lines (page 1, lines 18 and 19 in L.D.) by striking out the following: "one of the parties proves abuse by the other party by a preponderance of the evidence" and inserting in its place the following: 'a protection order under chapter 101 against one of the parties for the purpose of protecting the other party or another family or household member is in existence'

Further amend the bill by inserting after section 2 the following:

Sec. 3. Staff study. The Office of Policy and Legal Analysis shall compile information on trends in divorce law in other states, with particular attention given to the subject areas of divorce waiting periods, no-fault laws, how fault is determined and measured and the effect of a finding of fault on the divorce outcome. The office shall provide the information in the form of a report to the Joint Standing Committee on Judiciary by November 1, 1997.'

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

2 Further amend the bill by inserting at the end before the
summary the following:

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FISCAL NOTE

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The additional costs associated with the Office of Policy and Legal Analysis compiling information on trends in divorce law can be absorbed by the Legislature utilizing existing budgeted resources.'

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SUMMARY

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This amendment is the minority report of the Joint Standing Committee on Judiciary. It strikes out section 1 of the bill. It retains the 6-month waiting period between the service of the divorce complaint and the divorce hearing, but revises the exception to that waiting period to apply to any person who has obtained a protection from abuse order to protect that person from the other party. This diminishes the burden that the person with a protection order faces in order to have a divorce hearing sooner than 6 months.

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This amendment requires the Office of Policy and Legal Analysis to compile information about trends in divorce law across the country and report back to the Joint Standing Committee on Judiciary by November 1, 1997. The amendment also adds a fiscal note to the bill.

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