

# MAINE STATE LEGISLATURE

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Legislative Document

No. 745

S. P. 283

In Senate, February 17, 1959

Referred to Committee on Welfare. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Weeks of Cumberland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-NINE

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**AN ACT Clarifying the Laws Relating to Support of Dependents.**

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Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. R. S., c. 138, § 1, amended.** Section 1 of chapter 138 of the Revised Statutes is amended by adding at the end a new paragraph to read as follows:

**'Courts having jurisdiction in the places of residence of any of the dependents or the responsible parent shall have jurisdiction of the subject matter.'**

**Sec. 2. R. S., c. 138, § 2, amended.** Section 2 of chapter 138 of the Revised Statutes is amended by adding at the end a new paragraph to read as follows:

**'Courts having jurisdiction in the places of residence of any of the dependents or the responsible parent shall have jurisdiction of the subject matter.'**

**Sec. 3. R. S., c. 146, § 2, amended.** The first sentence of section 2 of chapter 146 of the Revised Statutes is amended to read as follows:

**'Each municipal court shall have jurisdiction, and concurrent jurisdiction with the Superior Court and with all other municipal courts in the counties where they are located, of all crimes and offenses including violations of any statute or by-law of a town, village corporation or local health officer, or breaches of the peace, not punishable by imprisonment in the State Prison, and complaints for desertion and non-support or non-support of dependents where either the complainant or the respondent resides and may for such crimes and offenses impose any of the fines or sentences provided by law to be imposed therefor.'**

**Sec. 4. R. S., c. 146, § 2-A, sub-§ IV, amended.** Subsection IV of section 2-A of chapter 146 of the Revised Statutes, as enacted by section 10 of chapter

334 and as amended by chapter 436, both of the public laws of 1957, is further amended by adding before the last paragraph a new paragraph to read as follows:

**'In cases involving criminal liability for non-support of dependent children who are wards of the State and of dependent children who are recipients of aid from the State as such dependent children, expense incurred for travel shall be borne between the county and the State in the proportion that the expense of public aid involved is borne between the municipality concerned and the State.'**

**Sec. 5. R. S., c. 166, § 43, amended.** The first sentence of section 43 of chapter 166 of the Revised Statutes is amended to read as follows:

**'Whenever a man, having a wife, a minor child or children, residing in this State and being of sufficient ability or being able to labor and provide for them, willfully and without reasonable cause, refuses or neglects to provide suitable maintenance for them, the Superior Court, the probate court and any municipal court, in term time, or any judge or justice of said courts in vacation, in the county where the wife or such minor child or children reside, or in the county where the husband or father may be found on petition of the wife for herself and for such child or children, or if such child or children by their guardian, after such notice to the husband or father as it may order, and hearing, may order him to contribute to the support of his wife and such minor child or children or either of them such sums payable weekly, monthly or quarterly as are deemed reasonable and just, and may enforce obedience by appropriate decrees.'**

**Sec. 6. R. S., c. 166, § 70-A, additional.** Chapter 166 of the Revised Statutes is amended by adding a new section to be numbered 70-A to read as follows:

**'Sec. 70-A. Attested copy of decree mailed to libelee when duty of support. In all cases where the decree of divorce imposes a duty of support on the libelee the clerk of courts upon issuance of such decree shall mail an attested copy thereof to said libelee by registered mail, postage prepaid, to be delivered to addressee only with return receipt demanded and the record of the registry of the mail and any receipt returned shall be filed with the case. It shall be the duty of the libelant and any counsel of record for this purpose to supply the clerk with the last known address of said libelee.'**

**Sec. 7. R. S., c. 166, § 71, amended.** Section 71 of chapter 166 of the Revised Statutes is amended by adding at the end a new paragraph to read as follows:

**'Courts having jurisdiction in the places of residence of any of the dependents or the responsible parent shall have jurisdiction of the subject matter.'**

**Sec. 8. R. S., c. 166, § 72, amended.** Section 72 of chapter 166 of the Revised Statutes is amended by adding at the end a new paragraph to read as follows:

**'Courts having jurisdiction in the places of residence of any of the dependents or the responsible parent shall have jurisdiction of the subject matter.'**

**Sec. 9. R. S., c. 167, § 11, amended.** Section 11 of chapter 167 of the Revised Statutes, as amended by section 1 of chapter 5 of the public laws of 1955, is further amended to read as follows:

**'Sec. 11. Officials to represent petitioner.** The county attorney shall represent the petitioner in any proceeding under this chapter ~~when this State is the responding state~~ except that in cases involving public aid a representative of the Attorney General may represent the petitioner.'