MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1997

by law to be published in a newspaper ~~shall~~ must appear in all editions of that newspaper.

See title page for effective date.

CHAPTER 406

H.P. 1315 - L.D. 1866

An Act to Allow the Maine Harness Racing Commission to Issue Conditional Licenses

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

Sec. 1. 8 MRSA §271, sub-§6 is enacted to read:

6. Conditions. The commission may impose conditions on a license if one or more of the criteria established in this section are not met at the time the license is issued, but may be brought into compliance within a time period during the licensing year.

See title page for effective date.

CHAPTER 407

S.P. 454 - L.D. 1428

An Act to Amend the Child Support Laws Concerning Notice to Co-owners of Property Subject to Support Liens

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

Sec. 1. 19-A MRSA §2357, sub-§5 is enacted to read:

5. Notice and hearing prior to disposition. When the department is provided with reliable information that another person, in addition to the responsible parent, has an ownership interest in the property of the responsible parent subject to a support lien, the department shall provide written notice to the other person before the foreclosure or other disposition of the property explaining that:

A. The department has a support lien against the property; and

B. The person may request a hearing to establish the value of that person's interest in the property before the foreclosure or other disposition of the property.

Sec. 2. 19-A MRSA §2361, sub-§3, ¶¶F and G, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, are amended to read:

F. That, if a record of the proceeding is filed in court and the responsible parent is not making regular child support payments, the burden of proof is on the responsible parent to show why regular payments can not be made; ~~and~~

G. The penalties as provided by this section that could be incurred by the responsible parent for failure to appear, failure to provide documents, papers and other evidence as required or intentionally providing false information~~.~~; and

Sec. 3. 19-A MRSA §2361, sub-§3, ¶H is enacted to read:

H. That the responsible parent must provide to the department the name and last known address of any other person that has an ownership in any property in which the responsible parent has an ownership interest.

Sec. 4. 19-A MRSA §2364, sub-§3 is enacted to read:

3. Liens; hearing to determine ownership interest. Before the foreclosure, the obligor and any other persons who claim an ownership interest in the property subject to the lien have a right to an administrative hearing to establish the value of their relative interest in the property. A request for a hearing must be in writing and must be received by the department within 10 calendar days of the notice of the foreclosure. Upon receiving a request for a hearing, the department shall notify all persons the department has reason to believe have an ownership interest in the property of the time, place and nature of the hearing. At the hearing, the hearing officer shall determine the value of the interests of all persons with an ownership interest in the property.

Sec. 5. Effective date. This Act takes effect October 1, 1997.

Effective October 1, 1997.

CHAPTER 408

H.P. 1113 - L.D. 1556

An Act to Establish Breast Cancer Patient Protection

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