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26 M.R.S.A. § 1601-1

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March 9, 1978

Representative Merle Nelson
House of Representatives
State House
Augusta, Maine

Re: Title 26 M.R.S.A. § 1601

Dear Representative Nelson:

This is in response to your oral request to this office for an opinion as to the effect of the proposed amendment of Title 26 M.R.S.A. § 1601.1 a copy of which amendment is attached hereto. While the Office of the Attorney General is reluctant to provide advice or render opinions concerning legislation before it is in its final form, it appears from a brief review of the proposed amendment that the amendment is not necessary to accomplish the purpose indicated in the statement of fact. Title 26 M.R.S.A. § 1601.1 currently provides that the displaced homemaker includes an individual who "has worked in the home for a substantial number of years providing unpaid household services from family members" Because there is no time limit in this definition, the fact that these services might have been provided by a person who is now widowed or is now divorced does not seem relevant to the definitional section.

While the amendment does not appear to be necessary to accomplish the stated purpose, at the same time it does not appear that the amendment will alter the coverage of the law. In this regard I would point out to you that Title 26, M.R.S.A. § 1601, sub-§§ 1 - 4 are in the conjunctive and sub-§ 4 speaks to various family relationships. It is not clear how the deletion of "for family members" from sub-§ 1 would alter the scope and coverage of the Displaced Homemakers Act.

I hope this brief review is of some assistance. If we can be of further assistance, please let us know.

Sincerely,

SARAH REDFIELD
Assistant Attorney General

SR:jg
Enc.