

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 1598**

H. P. 1365

House of Representatives, April 13, 1977

On motion of Mr. Hobbins of Saco, referred to Committee on Judiciary.  
Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Henderson of Bangor.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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### **AN ACT Limiting the Payment of Child Support in Certain Instances.**

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

19 MRSA § 752-A is enacted to read:

§ 752-A. Limitation on child support

1. Court precluded from ordering support in certain instances. Notwithstanding the provisions of section 752, the court, on original petition for support of minor children or on petition to alter that support, shall not order support when it finds the following facts exist:

A. A parent awarded custody of not more than one child earns or has the present capacity to earn an income equal to or greater than that of the other parent; and

B. The other parent is remarried and is currently supporting one or more children other than the child mentioned in paragraph A.

2. Insurance; medical and dental expenses. If the court finds the facts in subsection 1 exist, the court may nevertheless order the other parent to provide adequate medical and hospital insurance for the child and to pay up to 50% of all medical and dental expenses of the child.

### STATEMENT OF FACT

This bill would limit the court's ability to order child support when the parent having custody of a single child earns or has the ability to earn an income equal to or higher than that of the other parent and the other parent is remarried and supporting other children. The other parent may still, however, be ordered to pay certain insurance, medical and dental expenses.