

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1009

H. P. 843

House of Representatives, February 25, 1981

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Masterton of Cape Elizabeth.

Cosponsor: Representative Benoit of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Providing for Minimum Support for All Children of a Responsible Parent under the Alternative Method of Support Enforcement Law.

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

Sec. 1. 19 MRSA § 496, first ¶, as enacted by PL 1975, c. 532, § 3, is amended to read:

A debt shall not be incurred under section 495 by any responsible parent, nor shall a debt previously incurred under section 495 be collected from any responsible parent, while that parent receives public assistance, food stamps provided under Title 22, section 3104, supplemental security income benefits, benefits provided under Title 22, section 3271, or general assistance provided under Title 22, section 4497, for the benefit of any of his or her natural or adopted children. A debt previously incurred under section 495 shall not be collected from any responsible parent while that parent receives public assistance for the benefit of any of his or her natural or adopted children

Sec. 2. 19 MRSA § 502, sub-§ 2, ¶ B, as enacted by PL 1975, c. 532, § 3, is repealed and the following enacted in its place:

B. Twenty-five dollars per week for each natural or adopted child of the responsible parent dependent upon the responsible parent and not included in a court order of support or a decision under section 498.

STATEMENT OF FACT

This bill would prevent people who are dependent upon governmental assistance from accruing a debt and from being subject to the summary administrative collection techniques of the alternative method of support enforcement law. While individuals receiving Aid to Families with Dependent children are protected under current law, there are no protections for individuals receiving general assistance, food stamps or supplemental security income. This bill would stop the current practice of the Support Enforcement Bureau by which benefits received from an assistance program simply pass through the household.

This bill would also require the department to recognize that a responsible parent should retain \$25 per week for expenses for each child residing with him. Current law permits a responsible parent only \$5 per week per child for the support of each child dependent upon him and living with him.