

MAINE STATE LEGISLATURE

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L.D. 2398

(Filing No. H-742)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "C" to H.P. 1703, L.D. 2398,
Bill, "AN ACT to Provide Funding for the Court Media-
tion Service through Fees."

Amend the bill by striking out all of section 1.

Further amend the bill by inserting after section
2 the following:

'Sec. 2. 19 MRSA §214, sub-§3, as enacted by PL
1983, c. 813, §1, is amended to read:

3. Jurisdiction. If the father and mother of a
minor child are living apart, the Probate Court, Su-
perior Court or District Court in the county or divi-
sion where either resides, on complaint of either and
after such notice to the other as the court may or-
der, may make an order awarding parental rights and
responsibilities with respect to the child.

The right to file a complaint shall not be denied any
person for failure to meet any residency requirement
if the person is a member of the Armed Forces of the
United States on active duty stationed in this State
or a parent of a child of such a member. Such a mem-
ber shall be deemed to be a resident either of the
county in which the military installation or instal-
lations, or other place at which he has been sta-
tioned, is located or of the county in which he has
sojourned.

The jurisdiction granted by this section shall be
limited by the Uniform Child Custody Jurisdiction
Act, sections 801 to 825, if another state may have
jurisdiction as provided in that Act. The fee for
filing a complaint in District Court under this sec-
tion is \$52.'

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1 Further amend the bill by inserting after section
2 4 the following:

3 'Sec. 5. 19 MRSA §584, first ¶, as repealed and
4 replaced by PL 1979, c. 540, §33, is amended to read:

5 The petition under section 581 may be brought and
6 determined in the county or judicial division in
7 which either of the parties lives, except that if the
8 petitioner has left the county or judicial division
9 in which the parties lived together and the respon-
10 dent still lives therein, the petition shall be
11 brought in that county or judicial division, and such
12 notice shall be given thereon as the rules of the
13 court may provide. The fee for filing such petition
14 in District Court shall be ~~\$5~~ \$52.

15 Sec. 6. 19 MRSA §632, as amended by PL 1973, c.
16 479, §4, is further amended by adding at the end a
17 new paragraph to read:

18 The fee for filing a complaint in District Court
19 under this section is \$52.

20 Sec. 7. 19 MRSA §691, sub-§3 is enacted to read:

21 3. Fees. The fee for filing a complaint in Dis-
22 trict Court under this section is \$52.

23 Further amend the bill by renumbering the sec-
24 tions to read consecutively.

25 Further amend the bill by inserting before the
26 statement of fact the following:

27 'FISCAL NOTE

28 This amendment deletes the \$60 mediation fees
29 (\$192,500 annually) and inserts a \$27 increase in

HOUSE AMENDMENT "C" to H.P. 1703, L.D. 2398

1 District Court fees for divorce, annulment, separa-
2 tion and parenting and support decrees (\$198,990 an-
3 nually). The net result is a gain of \$6,490 to the
4 General Fund. This bill, as amended, will raise
5 \$53,900 in fiscal year 1986 and \$323,400 in fiscal
6 year 1987 in General Fund revenues.'

7 STATEMENT OF FACT

8 This amendment removes the section of the bill
9 which establishes \$60 mediation fees but increases
10 the fees for filing complaints in District Court to
11 \$52 for actions for divorce, annulment, separation
12 and parenting and support decrees when parents live
13 apart.

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Filed by Rep. Foster of Ellsworth
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