

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1990

Legislative Document

No. 83

S.P. 53

In Senate, December 31, 1990

Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

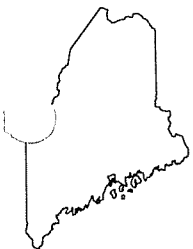
JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator TWITCHELL of Oxford. (BY REQUEST)

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Amend the Child Support Guidelines.



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

2
4 **Sec. 1. 19 MRSA §316, sub-§3**, as enacted by PL 1989, c. 834,
Pt. A, is amended to read:

6 **3. Computation of parental support obligation.** The total
8 support obligation must be divided between the parties in
10 proportion to their respective gross incomes except that the
12 nonprimary care provider's weekly parental support obligation for
14 all the children for whom a support award is being established or
16 modified may not exceed 10% of that nonprimary care provider's
18 weekly gross income, regardless of the amount of the parties'
 combined annual income. The court or hearing officer shall order
the party not providing primary residential care to pay, in
money, that party's share of the total support obligation to the
party providing primary residential care. The primary
residential care provider is presumed to spend the primary care
provider's share directly on the child or children.

20 **Sec. 2. 19 MRSA §316, sub-§4, ¶C**, as enacted by PL 1989, c.
834, Pt. A, is amended to read:

22 C. The subsistence needs and other obligations of the
24 nonprimary care provider must be taken into account when
26 establishing the parental support obligation. ~~If the annual~~
28 ~~gross income of a nonprimary care provider is less than the~~
30 ~~federal poverty guideline, or if the nonprimary care~~
32 ~~provider's income is insufficient to meet work-related~~
34 ~~expenses and other basic necessities as defined in Title 22,~~
 ~~section 4301, subsection 1, that nonprimary care provider's~~
 ~~weekly parental support obligation for all the children for~~
 ~~whom a support award is being established or modified may~~
 ~~not exceed 10% of that nonprimary care provider's weekly~~
 ~~gross income, regardless of the amount of the parties'~~
 ~~combined annual income.~~

36
38 **STATEMENT OF FACT**

40 This bill limits the amount of income of a nonprimary care
42 provider's weekly support obligation for all the children for
44 whom a support award is being established or modified to 10% of
46 that person's weekly gross income. The bill also requires the
court or hearing officer to take into account other obligations
of the nonprimary care provider.