

MAINE STATE LEGISLATURE

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SR
R. of S.

L.D. 1337

(Filing No. H-510)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 996, L.D. 1337, Bill, "An Act to Clarify Child Support Laws"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 19 MRSA §281, as enacted by PL 1967, c. 325, §2, is repealed and the following enacted in its place:

§281. Judgment

1. Support. Judgments under this subchapter may be for periodic payments that may vary in amount. The court may order payments to be made to the person to whom the support is owed or to some person, corporation or agency designated to administer payments under the supervision of the court.

2. Parental rights and responsibilities. The court may order an initial allocation of parental rights and responsibilities. The order of the court must provide notice that if either party objects to the allocation, that party may file a complaint pursuant to section 214 and that an order from that action supersedes this initial allocation of parental rights and responsibilities. It is within the court's discretion to award or allocate parental rights and responsibilities under this subchapter and the Department of Human Services is not a party to this issue. In resolving parental rights and responsibilities issues, the court may not delay entering a determination of paternity and an initial order concerning child support.'

Further amend the bill by striking out all of section 2.

COMMITTEE AMENDMENT

2 Further amend the bill in section 5 in that part designated
3 "§527." in the first paragraph in the 2nd line (page 4, line 11
4 in L.D.) by striking out the following: "tests ordered" and
5 inserting in its place the following: 'testing'

6 Further amend the bill in section 5 in that part designated
7 "§527." in the first paragraph in the 9th line (page 4, line 18
8 in L.D.) by inserting after the following: "action" the
9 following: 'and a request under section 277'

10 Further amend the bill by striking out all of sections 6, 7
11 and 8.

12 Further amend the bill by renumbering the sections to read
13 consecutively.

14 Further amend the bill by inserting at the end before the
15 statement of fact the following:

16 FISCAL NOTE

17 The Department of Human Services' dedicated revenue
18 generated by child support collections may increase due to the
19 expedited establishment of paternity. To the extent these
20 collections may be related to Aid to Families with Dependent
21 Children, General Fund savings may result. The amounts of the
22 increases in Other Special Revenue and General Fund savings can
23 not be estimated.

24 The additional workload and administrative costs within the
25 court system associated with the changes in this bill can be
26 absorbed within the budgeted resources of the Judicial
27 Department.'

28 STATEMENT OF FACT

29 This amendment rewrites the section of the bill allowing
30 courts in paternity actions to award or allocate parental rights
31 and responsibilities to make clear that the Department of Human
32 Services and the Department of the Attorney General do not
33 represent either party with regard to parental rights and
34 responsibilities. It also clarifies that any order to this
35 effect is an initial order and any further action should be filed
36 separately under the existing provisions regarding support and
37 other requirements.

38 The amendment deletes sections of the bill concerning notice
39 to defaulting putative fathers and when defenses can be raised in
40 paternity actions.

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 996, L.D. 1337

2 The amendment clarifies the provisions concerning requests
for and refusals to submit to blood testing to determine
4 paternity.

The amendment also adds a fiscal note to the bill.

Reported by the Committee on Judiciary
Reproduced and distributed under the direction of the Clerk of the
House
6/1/93 (Filing No. H-510)

COMMITTEE AMENDMENT