

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

R. of S.

L.D. 1499

DATE: 3/23/94

(Filing No. S-501)

JUDICIARY

Reported by: Senator Conley of Cumberland

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
116TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 488, L.D. 1499, Bill, "An Act to Expedite the Establishment of Administrative Child Support Orders"

Amend the bill in section 5 in that part designated "~~§497-A.~~" in the 3rd and 4th lines (page 2, lines 43 and 44 in L.D.) by striking out the following: "obligation to pay uninsured medical expenses"

Further amend the bill in section 5 in that part designated "~~§497-A.~~" in the first paragraph in the 4th line (page 2, line 49 in L.D.) by striking out the following: "expenses," and inserting in its place the following: 'expenses and'

Further amend the bill in section 5 in that part designated "~~§497-A.~~" in the first paragraph in the 6th and 7th lines (page 3, lines 1 and 2 in L.D.) by striking out the following: "and the obligation to pay a proportionate share of uninsured medical expenses"

Further amend the bill in section 5 in that part designated "~~§497-A.~~" in subsection 1 in the last line (page 3, line 23 in L.D.) by striking out the following: "20" and inserting in its place the following: '30'

Further amend the bill in section 5 in that part designated "~~§497-A.~~" in subsection 2 in paragraph F in the 4th line (page 3, line 46 in L.D.) by striking out the following: "expenses," and inserting in its place the following: 'expenses and'

COMMITTEE AMENDMENT

2 Further amend the bill in section 5 in that part designated
3 "§497-A." in subsection 2 in paragraph F in the last 3 lines
4 (page 3, lines 47 to 49 in L.D.) by striking out the following:
5 "and an obligation to pay a proportionate share of uninsured
6 medical expenses"

8 Further amend the bill in section 5 in that part designated
9 "§497-A." in subsection 2 in paragraph G in the last line (page
10 4, line 2 in L.D.) by striking out the following: "20" and
11 inserting in its place the following: '30'

12 Further amend the bill in section 5 in that part designated
13 "§497-A." in subsection 4 in paragraph B in the 6th and 7th lines
14 (page 5, lines 18 and 19 in L.D.) by striking out the following:
15 ", the obligation to provide payment for uninsured medical
16 expenses"

18 Further amend the bill in section 5 in that part designated
19 "§497-A." in subsection 4 in paragraph C in the first paragraph
20 in the 2nd line (page 5, line 36 in L.D.) by striking out the
21 following: "support," and inserting in its place the following:
22 'support and'

24 Further amend the bill in section 5 in that part designated
25 "§497-A." in subsection 4 in paragraph C in the first paragraph
26 in the 3rd to 5th lines (page 5, lines 37 to 39 in L.D.) by
27 striking out the following: "and the responsible parent's
28 obligation to pay a proportionate share of uninsured medical
29 expenses"

30 Further amend the bill in section 5 in that part designated
31 "§497-B." in the 3rd and 4th lines (page 7, lines 8 and 9 in
32 L.D.) by striking out the following: "; obligation to pay
33 uninsured medical expenses"

36 Further amend the bill in section 5 in that part designated
37 "§497-B." in the first paragraph in the 5th line (page 7, line 15
38 in L.D.) by striking out the following: "expenses," and
39 inserting in its place the following: 'expenses and'

40 Further amend the bill in section 5 in that part designated
41 "§497-B." in the first paragraph in the 7th to 9th lines (page 7,
42 lines 17 to 19 in L.D.) by striking out the following: "and
43 establish the responsible parent's obligation to pay a
44 proportionate share of uninsured medical expenses"

46 Further amend the bill in section 5 in that part designated
47 "§497-B." in subsection 1 in paragraph B in the 3rd line (page 7,
48 line 48 in L.D.) by striking out the following: "expenses," and
49 inserting in its place the following: 'expenses and'

2 Further amend the bill in section 5 in that part designated
3 "§497-B." in subsection 1 in paragraph B in the last 2 lines
4 (page 3, lines 49 and 50 in L.D.) by striking out the following:
5 "and an obligation to pay for uninsured medical expenses"

6 Further amend the bill in section 5 in that part designated
7 "§497-B." in subsection 1 in paragraph C in the last line (page
8 8, line 3 in L.D.) by striking out the following: "20" and
9 inserting in its place the following: '30'

10 Further amend the bill in section 5 in that part designated
11 "§497-B." in subsection 2 in paragraph A in the 5th line (page 9,
12 line 10 in L.D.) by striking out the following: "20" and
13 inserting in its place the following: '30'

14 Further amend the bill in section 5 in that part designated
15 "§497-B." by striking out all of subsection 4.

16 Further amend the bill in section 5 in that part designated
17 "§497-B." in subsection 5 in the first paragraph in the 4th line
18 (page 10, line 43 in L.D.) by striking out the following:
19 "appears" and inserting in its place the following: 'does not
20 appear'

21 Further amend the bill in section 5 in that part designated
22 "§497-B." in subsection 5 in paragraph C in the first line (page
23 11, line 14 in L.D.) by striking out the following: "After" and
24 inserting in its place the following: 'Thirty days after'

25 Further amend the bill in section 5 in that part designated
26 "§497-B." in subsection 6 in the 2nd line (page 11, line 35 in
27 L.D.) by striking out the following: "21" and inserting in its
28 place the following: '30'

29 Further amend the bill in section 5 in that part designated
30 "§497-B." by inserting after subsection 7 the following:

31 '8. Request to set aside. Within one year of the mailing
32 of a decision, the responsible parent may request the department
33 to set aside the decision if the responsible parent shows good
34 cause why the responsible parent did not request a hearing or did
35 not appear at a hearing and presents a meritorious defense to the
36 decision.'

37 Further amend the bill in section 5 in that part designated
38 "§497-B." by renumbering the subsections to read consecutively.

39 Further amend the bill by striking out all of section 9.

R of S

2 Further amend the bill by renumbering the sections to read
consecutively.

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

6
8 **FISCAL NOTE**

The Department of Human Services will experience an increase
10 in Other Special Revenue and General Fund and Federal Expenditure
12 Fund savings from increased child support collections as a result
of the department's ability to establish child support
14 obligations more efficiently. The exact amounts can not be
determined.'

16
18 **STATEMENT OF FACT**

20 This amendment deletes language referring specifically to
the obligation of a responsible parent to pay a proportionate
22 share of uninsured medical expenses because that obligation is
already included in the definitions of the other terms used in
24 the child support laws. The amendment changes the period of time
that the Department of Human Services has to send a notice of
26 hearing from 20 days to 30 days to conform with federal
requirements governing review and modification of child support
28 orders. It also extends the time within which a responsible
parent must complete an income affidavit from 20 days to 30
30 days. It requires the Department of Human Services to wait 30
days before initiating collection actions. It also clarifies
32 language relating to the failure of a responsible parent to
appear at a hearing and the opportunity for a responsible parent
34 to have a decision set aside within one year. The amendment
deletes section 9 of the bill because the change is unnecessary
36 due to the changes made by Public Law 1993, chapter 410. The
amendment also adds a fiscal note to the bill.

38