

MAINE STATE LEGISLATURE

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A M S

L.D. 1716

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DATE: 5-7-01

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JUDICIARY

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12 the House.

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT "A" to H.P. 1265, L.D. 1716, Bill, "An
Act to Improve Child Support Services"

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Amend the bill in section 1 in subsection 4 in the 3rd line
from the end (page 1, line 18 in L.D.) by inserting after the
following: "dental treatment," the following: 'eye care,
eyeglasses, prescriptions,'

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Further amend the bill in section 3 in subsection 3 in
paragraph C by inserting at the end a new sentence to read: 'The
court shall determine the pro rata share of the health insurance
premium actually expended that is attributable to each child.'

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Further amend the bill in section 8 in paragraph L in the
last line (page 3, line 33 in L.D.) by inserting after the
following: "benefits" the following: '. In determining the
allocation of tax exemptions for children, the court may consider
which party will have the greatest benefit from receiving the
allocation'

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Further amend the bill in section 10 in subsection 12 in the
first 2 lines (page 3, lines 40 and 41 in L.D.) by striking out
the following: "Information provided by any person pursuant to
this section" and inserting in its place the following: 'If a
person, in response to a request for information pursuant to this
section, provides records or data from regularly conducted
business, the information'

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SUMMARY

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This amendment addresses 4 issues in the bill.

COMMITTEE AMENDMENT

2 First, this amendment includes in the definition of
"extraordinary medical expenses" expenses for eye care,
4 eyeglasses and prescriptions. Extraordinary medical expenses
above \$250 per child or group of children per year must be
6 divided between the parties in proportion to their adjusted gross
incomes.

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10 Second, this amendment clarifies that, when a party is
paying health insurance premiums, the court shall determine the
amount of that premium that is attributable to each child. Sums
12 actually expended for health insurance premiums must be added to
the basic support entitlement to determine the total amount of
14 support.

16 Third, this amendment authorizes the court to consider which
party may benefit the most from the allocation of tax exemptions
18 for the children.

20 Fourth, this amendment revises the new hearsay exception
contained in the bill for those cases in which employers and
22 providers are already required by law to supply certain
information to the Department of Human Services in Medicaid
24 recovery cases. The exception allows responses from employers,
businesses and financial institutions to be introduced in court
26 without the need for the employer's, business's or financial
institution's presence for verification. This amendment narrows
28 the exception to records held in the ordinary course of business.