

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1126

H.P. 819

House of Representatives, March 7, 2007

An Act To Clarify the Status of Subsidy Payments to Guardians

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PINGREE of North Haven.

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

2 **Sec. 1. 19-A MRSA §2001, sub-§5, ¶A,** as amended by PL 2003, c. 123, §1, is
3 further amended to read:

4 A. Gross income includes income from an ongoing source, including, but not
5 limited to, salaries, wages, commissions, royalties, bonuses, dividends, severance
6 pay, pensions, interest, trust funds, annuities, capital gains, social security benefits,
7 disability insurance benefits, prizes, workers' compensation benefits, spousal support
8 actually received pursuant to a preexisting order from a spouse who is not the parent
9 of the child for whom support is being determined, and educational grants,
10 fellowships or subsidies that are available for personal living expenses. Gross
11 income does not include child support or permanency guardianship subsidies
12 received by either party for children other than the child for whom support is being
13 determined.

14 **Sec. 2. 36 MRSA §5122, sub-§2, ¶Y** is enacted to read:

15 Y. To the extent included in federal adjusted gross income, any amount constituting
16 a permanency guardianship subsidy pursuant to Title 22, section 4038-D.

17 **SUMMARY**

18 This bill establishes that income from a permanency guardianship subsidy may not be
19 considered income for the purposes of calculating a child support entitlement or child
20 support obligation or for the computation of taxable income for resident individuals.