

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1650

S.P. 549

In Senate, December 21, 2011

An Act To Repeal the Automatic Suspension of Child Support Obligations

(EMERGENCY)

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
Received by the Secretary of the Senate on December 19, 2011. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator McCORMICK of Kennebec.
Cosponsored by Representative STRANG BURGESS of Cumberland.

1 **Emergency preamble.** **Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** state law automatically suspends the child support obligations of
4 noncustodial parents who reside in Maine when the parents are in receipt of public
5 assistance regardless of whether the parents have the financial capacity to provide
6 necessary support for their children; and

7 **Whereas,** children should receive necessary financial support from their
8 noncustodial parents to the fullest extent of their noncustodial parents' financial capacity;
9 and

10 **Whereas,** children especially need necessary financial support from their
11 noncustodial parents during challenging economic circumstances such as those that
12 currently exist in this State and nationally; and

13 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
14 the meaning of the Constitution of Maine and require the following legislation as
15 immediately necessary for the preservation of the public peace, health and safety; now,
16 therefore,

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

18 **Sec. 1. 19-A MRSA §2302,** as repealed and replaced by PL 2001, c. 255, §1, is
19 repealed.

20 **Emergency clause.** In view of the emergency cited in the preamble, this
21 legislation takes effect when approved.

22 **SUMMARY**

23 This bill repeals the automatic suspension of the child support obligation of a
24 noncustodial parent when that parent is in receipt of public assistance.