

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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PUBLIC LAWS
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Sec. 2. 19 MRSA § 403, as amended by PL 1971, c. 393, § 12, is repealed and the following enacted in its place:

§ 403. Order of support

If the court of the responding state finds a duty of support, it may order the obligor to furnish support or reimbursement therefor and subject the property of the obligor to that order. Support orders made pursuant to this Act shall require that payments be made to the clerk of the court of the responding state. If the matter is a Title IV-D case, support orders made pursuant to this Act shall require that payments be made to the cashier section of the Department of Human Services. For Title IV-D cases in which the responding court has previously established a support order, the department shall not be required to seek an amendment to the support order in order to direct payments to the Department of Human Services. The obligor shall commence payment to the State upon notice from the department. The court and district attorney of any county in which the obligor is present or has property have the same powers and duties to enforce the order as have those of the county in which it was first issued. If enforcement is impossible or cannot be completed in the county in which the order was issued, the district attorney shall send a certified copy of the order to the district attorney of any county in which it appears that proceedings would be effective. The district attorney to whom the certified copy of the order is forwarded shall proceed with enforcement and report the results of the proceedings to the court first issuing the order.

Sec. 3. 19 MRSA § 406, as amended by PL 1971, c. 393, § 14, is repealed and the following enacted in its place:

§ 406. Additional duties of court in this State when acting as responding state

The court of this State when acting as responding state shall have the following duties which may be carried out through the clerk of the court, except in Title IV-D cases, which shall be carried out through the Department of Human Services:

1. Transmit payments. Upon receipt of a payment made by the obligor pursuant to any order of the court or otherwise, to transmit the same to the court of the initiating state or a Title IV-D agency in the initiating state; and

2. Certified statement of payments. Upon request to furnish to the court of the initiating state, or a Title IV-D agency in the initiating state, a certified statement of all payments made by the obligor.

Effective September 14, 1979

CHAPTER 91

S. P. 107 — L. D. 212

AN ACT to Restrict the Placing of Hazardous Objects on Utility Poles.

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

35 MRSA § 2360 is enacted to read:

§ 2360. Trespass on a utility pole

1. **Trespass.** A person commits trespass on a utility pole if, without the prior consent of the utility owning the pole, he places any object or makes any attachment on any utility pole, whether or not within the limits of a public way.

2. **Violation; forfeiture.** Trespass on a utility pole is a civil violation for which a forfeiture of not less than \$25 nor more than \$100 shall be adjudged.

Effective September 14, 1979

CHAPTER 92

S. P. 222 — L. D. 606

AN ACT to Permit the Retirement Earnings Limitation to Increase as Cost-of-Living Increases in Retirement Benefits are Granted.

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

5 MRSA § 1123, 3rd sentence, as amended by PL 1971, c. 595, § 1, is further amended to read:

Should any recipient of benefits other than disability benefits be restored to service, and should the combination of his monthly retirement allowance and monthly earnable compensation at any time exceed 1/12 of his average final compensation at retirement, **subject to such percentage adjustments, if any, that may apply to the amount of retirement allowance of the beneficiary under section 1123**, his monthly retirement allowance payments shall be reduced accordingly; if his retirement allowance payments are thereby eliminated, the beneficiary shall again become a member of the retirement system and he shall contribute thereafter at the current rate and when such member subsequently again retires, he shall receive such combined benefits as may be computed on his entire creditable service and in accordance with the then existing law.

Effective September 14, 1979