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JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 1155, L.D. 1596, Bill, "An Act To Enhance the Long-term Stability of Certain At-risk Youth"

Amend the bill by striking out all of the emergency preamble.

Amend the bill in section 5 in §4099-I in subsection 2 by striking out all of the last blocked paragraph (page 2, lines 34 and 35 in L.D.).

Amend the bill in section 5 in §4099-I by inserting after subsection 4 the following:

'5. Availability of special findings. Special findings are available under subsection 2 for the protection, well-being, care and custody of an at-risk noncitizen child for whom a remedy is not otherwise available or appropriate under Title 18-C, Title 19-A or this Title.'

Amend the bill in section 5 in §4099-I by striking out all of subsection 6 (page 3, lines 10 to 12 in L.D.) and inserting the following:

'6. Additional available remedies; similar findings of fact and rulings of law. Nothing in this section prevents a petitioner from filing a complaint under Title 18-C, Title 19-A or this Title or for any other remedy available under the laws of this State to protect the at-risk noncitizen child from further abuse or other harm, or to provide support. Nothing in this section prevents the court from issuing similar findings of fact and rulings of law to those in subsection 2 in any other proceeding concerning a noncitizen child.'

Amend the bill in section 5 in §4099-I by renumbering the subsections to read consecutively.

Amend the bill by striking out all of the emergency clause.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

This amendment removes the provision in the bill that an at-risk noncitizen child is not required to include as a respondent a parent with whom reunification may be a viable option in order to leave that determination to the discretion of the court in each case.

The amendment makes clear that courts have the authority to issue special orders for the protection, well-being, care and custody of at-risk noncitizen children for whom a remedy is not otherwise available or appropriate under the Maine Revised Statutes, Title 18-C, Title 19-A or Title 22.

The amendment clarifies that the new provisions do not preclude the at-risk noncitizen child from seeking other remedies that are available to protect the child from further abuse or other harm or that provide support.

This amendment removes the emergency preamble and emergency clause from the bill.