

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
109TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-341)

COMMITTEE AMENDMENT "A" to H.P. 668, L.D. 828, Bill, "AN ACT to Facilitate the Enforcement of Child Support Obligations and Make Statutory Changes Consistent with the Administrative Procedure Act.

Amend the Bill by striking out all of section 1.

Further amend the Bill in section 3 by striking out all of subsection 2 and inserting in its place the following:

'2. Interstate cooperation. A payment of public assistance by another state for the benefit of a dependent child located within that state creates a debt to that state by a responsible parent in the amount of the public assistance paid. Upon certification by a state to the Department of Human Services that public assistance is being rendered and that a responsible parent resides within the State of Maine, the Department of Human Services, after obtaining an Inter-state Assignment of Rights, may attempt to collect the debt, by action/any appropriate statute, including, but not limited to, remedies established by this subchapter.

3. Definition of state. "State" shall mean any state, territory or possession of the United States, the District of Columbia and the Commonwealth of Puerto Rico.'

Further amend the Bill in section 5, in subsection 6 by striking out all of the 2nd underlined paragraph.

Further amend the Bill by inserting after section 5, 2 new sections to read:

'Sec. 6. 19 MRSA §499, first sentence, as enacted by PL 1975, c. 532, §3, is amended to read:

If a court order of support exists, the department shall be subrogated to the right of any dependent child or person having the custody of the child named in the court order to pursue any support action or any administrative remedy to secure payment of the debt accrued or accruing under section 495, subsection 1, and to enforce the court order.

Sec. 7. 19 MRSA §500, first sentence, as enacted by PL 1975, c. 532, §3, is amended to read:

When the department is subrogated to a court order of support under section 499, the commissioner may issue to the responsible parent a notice of debt accrued or accruing under section 495, subsection 1.'

Further amend the Bill by renumbering the sections to read consecutively.

Statement of Fact

This amendment provides some administrative changes to improve enforcement of child support obligations and makes these enforcement provisions consistent with the Maine Administrative Procedure Act.