

MAINE STATE LEGISLATURE

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(New Draft of H.P. 258, L.D. 341)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1287

H.P. 958 House of Representatives, April 15, 1987
Reported by the Minority from the Committee on Judiciary
and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

Original bill sponsored by Representative DUFFY of
Bangor. Cosponsored by Representatives PARADIS of Augusta,
VOSE of Eastport and Senator PERKINS of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Aid in Enforcement of Child Support
Payments.

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

19 MRSA §503-A is enacted to read:

§503-A. Publication of notice of debt

1. Publication. The department shall publish in
newspapers on a statewide basis at least once and not
more than 4 times a year a list of persons who, at
least 21 days prior to publication, have been issued
a notice of debt under section 500 or who have had a
decision entered against them under section 498 or
against whom a lien has been filed pursuant to sec-
tion 503 and who:

1 A. Are at least \$5,000 in arrears in child sup-
2 port payments; and

3 B. Have not made any child support payments in
4 at least 3 years.

5 This list shall not exceed 10 such obligors from the
6 jurisdiction of any one regional office of the de-
7 partment's Division of Child Support. This publica-
8 tion shall consist of the name of the responsible
9 parent, the amount of the indebtedness set forth in
10 the notice of debt, decision, lien or judgment, the
11 last-known address of the responsible parent and, if
12 known, the age of the responsible parent and of the
13 children for whom the duty of support is owed. Names
14 of obligors who continue to be in the status required
15 by this subsection may be included in subsequent pub-
16 lications. The publications required by this subsec-
17 tion shall comply with state and federal laws and
18 rules concerning maintenance of confidentiality for
19 child support obligees.

20 2. Publicity. Prior to publication of any list
21 of names, the department shall issue appropriate pub-
22 licity releases to the various media indicating the
23 general nature of the program. This shall be done in
24 sufficient time in advance of the publication as to
25 allow those owing child support to contact the de-
26 partment. The name of any person owing child support
27 who contacts the department after issuance of the
28 publicity releases required by this subsection shall
29 not be included in a list published under subsection
30 1, unless the person fails to make child support pay-
31 ments prior to the next publication under subsection
32 1.

33 3. Notice. A notice of debt issued pursuant to
34 section 500 or a notice of hearing and debt issued
35 pursuant to section 498 shall contain a notice that
36 explains the provisions of subsections 1 and 2.

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FISCAL NOTE

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There is a fiscal impact on the Department of Human Services due to this new draft. However, the limitation on size and number of publications will allow the department to offset any additional cost within existing resources.

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STATEMENT OF FACT

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This new draft deletes the additional requirements proposed in the bill for employers to provide the Department of Human Services with information concerning employees who owe child support. This new draft also adds a requirement that, before the name of a child support obligor may be published, the obligor must be at least \$5,000 in arrears in child support payments and must not have paid any child support for at least 3 years. The new draft also makes it clear that the publication of names of child support obligors must conform with state and federal laws and rules that protect the privacy of child support recipients.

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