

# MAINE STATE LEGISLATURE

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M  
P.S.

L.D. 1154

DATE: 5/14/97

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JUDICIARY

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
118TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 849, L.D. 1154, Bill, "An Act to Repeal the Requirement That Employers Garnish the Wages of Their Employees Who Owe Child Support"

Amend the bill by striking out the title and substituting the following:

'An Act Concerning the Requirement That Employers Garnish the Wages of Their Employees Who Owe Child Support'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 19-A MRSA §2366, first ¶, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

A person who fails to honor an order to withhold and deliver, an order for expedited withholding, or a duly executed assignment of earnings, or fails to surrender property under section 2363, is liable to the department ~~in an amount equal to the debt that is the basis of the~~ for the greater of \$500 or the amount the person was required to remit to the department under a lien, order to withhold and deliver, order for expedited withholding, demand for surrender or assignment of earnings, together with costs, interest and reasonable attorney's fees.

Sec. 2. Effective date. This Act takes effect October 1, 1997.'

SUMMARY

This amendment replaces the bill, which would have been contrary to federal law that requires immediate income

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 849, L.D. 1154

2 withholding from employees who owe child support. It revises the  
penalty an employer or other payor of income or holder of  
4 property is subject to if the payor or holder does not pay to the  
Department of Human Services the money required to be withheld  
6 and paid from the wages or property of a child support obligor.  
The current penalty subjects the employer or holder to as much as  
the total amount of the debt the child support obligor owes.  
8 This amendment provides that the employer or holder is subject to  
a penalty of at least \$500, or more if the amount to be withheld  
10 and remitted to the department is greater than \$500. Costs,  
interest and reasonable attorney's fees are in addition to the  
12 penalty, as is provided in current law.

**COMMITTEE AMENDMENT**