

# MAINE STATE LEGISLATURE

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

COMMITTEE AMENDMENT "A" to H.P. 1190, L.D. 1689, Bill, "An Act to Provide Court-ordered Income Withholding of Spousal Support"

Amend the bill in section 1 in that part designated "§954." in subsection 1 in the 5th line (page 1, line 11 in L.D.) by striking out the following: "Income" and inserting in its place the following: 'Except as provided in chapter 65, subchapter IV, income'

Further amend the bill in section 1 in that part designated "§954." in subsection 1 in paragraph D in the 8th to 12th lines (page 2, lines 24 to 28 in L.D.) by striking out the following: "For implementing the order to withhold, the payor is entitled to charge a processing fee as adopted by the commissioner under section 2370. This charge must be deducted from the amount withheld prior to its remittance to the department. The amount specified in the order" and inserting in its place the following: 'The payor may withhold a \$2 processing fee in addition to the amount withheld for support. The amount withheld'

Further amend the bill in section 1 in that part designated "§954." in subsection 2 in the 3rd line (page 3, line 14 in L.D.) by striking out the following: "document, track" and inserting in its place the following: 'record'

Further amend the bill in section 1 in that part designated "§954." in subsection 2 in the 4th line (page 3, line 15 in L.D.) by striking out the following: "monitor" and inserting in its place the following: 'disburse'

Further amend the bill in section 1 in that part designated

2 "§954." in subsection 2 by striking out the last sentence (page  
3, lines 16 and 17 in L.D.)

4 Further amend the bill by inserting at the end before the  
summary the following:

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#### FISCAL NOTE

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The additional costs associated with recording and  
disbursing certain spousal support payments can be absorbed by  
12 the Department of Human Services utilizing existing budgeted  
resources.

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The additional workload and administrative costs associated  
with the minimal number of new cases filed in the court system  
can be absorbed within the budgeted resources of the Judicial  
18 Department. The collection of additional fines may increase  
General Fund revenue by minor amounts.'

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#### SUMMARY

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This amendment clarifies that when a court orders both  
spousal support and child support, the income withholding  
26 provisions of the Maine Revised Statutes, Title 19-A, chapter 65,  
subchapter IV apply. The new provisions apply when only spousal  
28 support, and no child support, is ordered by the court.

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This amendment authorizes the payor who is implementing the  
withholding order to withhold a \$2 processing fee in addition to  
32 the amount withheld for spousal support. This is to cover the  
costs the employer or other payor of income incurs in complying  
34 with the order.

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This amendment limits the activities of the Department of  
Human Services with regard to income withholding for spousal  
38 support to receiving the specified amounts withheld, recording  
each amount received and disbursing those amounts to the person  
40 designated in the order.