

MAINE STATE LEGISLATURE

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23
R. O'S

L.D. 986

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STATE OF MAINE
SENATE
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 327, L.D. 986, Bill, "An Act To Enact the Uniform Interstate Family Support Act Amendments of 1996 and 2001"

Amend the bill in section 10 in that part designated "§2966." in subsection 1 in the first line (page 26, line 10 in L.D.) by striking out the following: "or modify"

Further amend the bill in section 10 in that part designated "§2966." in subsection 2 in the first line (page 26, line 24 in L.D.) by striking out the following: "or modify"

Further amend the bill in section 10 in that part designated "§2966." in subsection 2 in the last line (page 26, line 26 in L.D.) by striking out the following: "or modify"

Further amend the bill in section 10 in that part designated "§2967." in subsection 2 in paragraph B in subparagraph (1) in the first line (page 27, line 36 in L.D.) by inserting after the following: "the" the following: 'current'

Further amend the bill in section 10 in that part designated "§2967." in subsection 2 in paragraph B in subparagraph (2) in the first line (page 27, line 39 in L.D.) by inserting after the following: "the" the following: 'current'

Further amend the bill in section 19 in the first paragraph in the first line (page 44, line 34 in L.D.) by striking out the

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2 following: "commissioner" and inserting in its place the following: 'Attorney General'

4 Further amend the bill in section 20 in paragraph B in the first line (page 45, line 12 in L.D.) by striking out the following: "lists of" and inserting in its place the following: 'lists-of'

8 Further amend the bill in section 29 in that part designated "§3101." in the 2nd line (page 53, line 18 in L.D.) by striking out the following: "department" and inserting in its place the following: 'support enforcement agency'

14 Further amend the bill in section 30 in that part designated "§3101-B." in the first line (page 54, line 21 in L.D.) by striking out the following: "multiple" and inserting in its place the following: '2 or more'

18 Further amend the bill in section 30 in that part designated "§3101-B." in the first paragraph in the 2nd line (page 54, line 25 in L.D.) by striking out the following: "for" and inserting in its place the following: 'for with respect to the earnings of'

24 Further amend the bill in section 30 in that part designated "§3101-B." in the first paragraph in the 2nd line from the end (page 54, line 29 in L.D.) by inserting after the following: "income" the following: 'withheld'

28 Further amend the bill by inserting after section 31 the following:

32 '**Sec. 32. 19-A MRSA §3101-F, sub-§2, ¶B,** as enacted by PL 1997, c. 669, §21, is amended to read:

34 B. Each employer that has directly received an income-withholding order relating to the obligor; and'

38 Further amend the bill by striking out all of section 33 and inserting in its place the following:

40 '**Sec. 33. 19-A MRSA §3102,** as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

44 **§3102. Administrative enforcement of orders**

46 1. **Documents to state information agency.** A party residing in another state or a support enforcement agency seeking to enforce a support order or an income-withholding order, or both, issued by a tribunal of another state shall send the documents required for registering the order to the department.

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2 **2. Consider and enforce.** Upon receipt of the documents,
4 the department, without initially seeking to register the order,
6 shall consider and, if appropriate, use any administrative
8 procedure authorized by the law of this State to enforce a
10 support order or an income-withholding order, or both. ~~If the
12 order can not be enforced using available administrative
14 procedures, the department may register the support order or the
16 income withholding order with the appropriate court.'~~

18 Further amend the bill in section 37 in that part designated
20 "~~§3201.~~" in subsection 1 in the 4th to 6th lines (page 61, lines
22 33 to 35 in L.D.) by striking out the following: "Notice must be
24 given by first class, certified or registered mail or by any
26 means of personal service authorized by the law of this State."
28 and inserting in its place the following: ~~'Notice must be given
30 by first class, certified or registered mail or by any means of
32 personal service authorized by the law of this State.'~~

34 Further amend the bill by inserting after section 37 the
36 following:

38 '**Sec. 38. 19-A MRSA §3202, sub-§1,** as enacted by PL 1995, c.
40 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

42 **1. Timing and remedies.** A nonregistering party seeking to
44 contest the validity or enforcement of a registered order in this
46 State must request a hearing within 20 days after the date of
48 mailing ~~or personal service of~~ notice of the registration. The
nonregistering party may seek to vacate the registration, to
assert any defense to an allegation of noncompliance with the
registered order or to contest the remedies being sought or the
amount of any alleged arrearages pursuant to section 3203.'

 Further amend the bill in section 41 in that part designated
"~~§3253.~~" in subsection 1 in paragraph A by striking out all of
subparagraph (2) (page 65, lines 7 and 8 in L.D.) and inserting
in its place the following:

 '(2) A petitioner who is a nonresident of this State
seeks modification; and'

 Further amend the bill in section 41 in that part designated
"~~§3253.~~" in subsection 1 in paragraph B in the first line (page
65, line 13 in L.D.) by striking out the following: "child" and
inserting in its place the following: 'child.'

 Further amend the bill in section 41 in that part designated
"~~§3253.~~" in subsection 1 in paragraph B in the 2nd line (page 65,

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line 14 in L.D.) by striking out the following: "the child or the party"

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

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SUMMARY

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This amendment makes additional changes to make Maine's law consistent with the Uniform Interstate Family Support Act Amendments of 1996 and 2001.

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