

MAINE STATE LEGISLATURE

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JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 952, L.D. 1298, Bill, "An Act To Penalize a Person Who is Habitually Late Making Child Support Payments"

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

Sec. 1. 10 MRSA §8006, sub-§1, ¶¶B and C, as enacted by PL 1993, c. 410, Pt. V, §1, are repealed and the following enacted in their place:

B. "Compliance with a support order" means that the support obligor has obtained or maintained health insurance coverage if required by a support order and is:

(1) No more than 60 days in arrears in making any of the following payments:

(a) Payments in full for current support;

(b) Periodic payments on a support arrearage pursuant to a written agreement with the Department of Human Services; and

(c) Periodic payments as set forth in a support order; and

2 (2) No more than 30 days in arrears in making payments
3 as described in subparagraph (1) if the obligor has
4 been in arrears for more than 30 days in making
5 payments as described in subparagraph (1) at least 2
6 times within the past 24 months.

7 C. "Support order" means a judgment, decree or order,
8 whether temporary, final or subject to modification, issued
9 by a court or an administrative agency of competent
10 jurisdiction for the support and maintenance of a child,
11 including a child who has attained the age of majority under
12 the law of the issuing state, or a child and the parent with
13 whom the child is living, that provides for monetary
14 support, health care, arrearages or reimbursement and may
15 include related costs and fees, interest and penalties,
16 income withholding, attorney's fees and other relief.

17 **Sec. 2. 10 MRSA §8006, sub-§2,** as amended by PL 1995, c. 694,
18 Pt. D, §8 and affected by Pt. E, §2, is amended to read:

19 **2. Noncompliance with a support order.** An applicant for
20 the issuance or renewal of a license or an existing licensee
21 regulated by a board who is not in compliance with a ~~court~~
22 support order ~~of support~~ is subject to the requirements of Title
23 19-A, section 2201.

24 **Sec. 3. 12 MRSA §6309, sub-§1, ¶¶A and B,** as enacted by PL
25 1993, c. 410, Pt. V, §2, are repealed and the following enacted
26 in their place:

27 A. "Compliance with a support order" means that the support
28 obligor has obtained or maintained health insurance coverage
29 if required by a support order and is:

30 (1) No more than 60 days in arrears in making any of
31 the following payments:

32 (a) Payments in full for current support;

33 (b) Periodic payments on a support arrearage
34 pursuant to a written agreement with the
35 Department of Human Services; and

36 (c) Periodic payments as set forth in a support
37 order; and

38 (2) No more than 30 days in arrears in making payments
39 as described in subparagraph (1) if the obligor has
40 been in arrears for more than 30 days in making

2 payments as described in subparagraph (1) at least 2
3 times within the past 24 months.

4 B. "Support order" means a judgment, decree or order,
5 whether temporary, final or subject to modification, issued
6 by a court or an administrative agency of competent
7 jurisdiction for the support and maintenance of a child,
8 including a child who has attained the age of majority under
9 the law of the issuing state, or a child and the parent with
10 whom the child is living, that provides for monetary
11 support, health care, arrearages or reimbursement and may
12 include related costs and fees, interest and penalties,
13 income withholding, attorney's fees and other relief.

14 **Sec. 4. 12 MRSA §6309, sub-§2, as amended by PL 1997, c. 537,**
15 **§5 and affected by §62, is further amended to read:**

16 **2. Noncompliance with a support order.** An applicant for
17 the issuance or renewal of a license or an existing licensee
18 regulated by the department under this subpart who is not in
19 compliance with a court support order ~~of support~~ is subject to
20 the requirements of Title 19-A, section 2201.
21

22 **Sec. 5. 12 MRSA §7079-B, sub-§1, ¶¶A and B, as enacted by PL**
23 **1993, c. 410, Pt. V, §3, are repealed and the following enacted**
24 **in their place:**

25 A. "Compliance with a support order" means that the support
26 obligor has obtained or maintained health insurance coverage
27 if required by a support order and is:

28 (1) No more than 60 days in arrears in making any of
29 the following payments:

30 (a) Payments in full for current support;

31 (b) Periodic payments on a support arrearage
32 pursuant to a written agreement with the
33 Department of Human Services; and

34 (c) Periodic payments as set forth in a support
35 order; and

36 (2) No more than 30 days in arrears in making payments
37 as described in subparagraph (1) if the obligor has
38 been in arrears for more than 30 days in making
39 payments as described in subparagraph (1) at least 2
40 times within the past 24 months.

2 B. "Support order" means a judgment, decree or order,
3 whether temporary, final or subject to modification, issued
4 by a court or an administrative agency of competent
5 jurisdiction for the support and maintenance of a child,
6 including a child who has attained the age of majority under
7 the law of the issuing state, or a child and the parent with
8 whom the child is living, that provides for monetary
9 support, health care, arrearages or reimbursement and may
10 include related costs and fees, interest and penalties,
11 income withholding, attorney's fees and other relief.

12 **Sec. 6. 12 MRSA §7079-B, sub-§2,** as amended by PL 1997, c.
13 537, §7 and affected by §62, is further amended to read:

14 **2. Noncompliance with a support order.** An applicant for
15 the issuance or renewal of a license or an existing licensee who
16 is not in compliance with a court support order ~~of support~~ is
17 subject to the requirements of Title 19-A, section 2201.

18 **Sec. 7. 19-A MRSA §2101, sub-§2,** as amended by PL 1997, c.
19 466, §5 and affected by §28, is repealed and the following
20 enacted in its place:

21 **2. Compliance with a support order.** "Compliance with a
22 support order" means that the support obligor has obtained or
23 maintained health insurance coverage if required by a support
24 order and is:

25 A. No more than 60 days in arrears in making any of the
26 following payments:

27 (1) Payments in full for current support;

28 (2) Periodic payments on a support arrearage pursuant
29 to a written agreement with the department; and

30 (3) Periodic payments as set forth in a support order;
31 and

32 B. No more than 30 days in arrears in making payments as
33 described in paragraph A if the obligor has been in arrears
34 for more than 30 days in making payments as described in
35 paragraph A at least 2 times within the past 24 months.

36 **Sec. 8. 19-A MRSA §2201, sub-§15, ¶B,** as enacted by PL 1995,
37 c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

2 B. The number of support obligors identified by the
department under this section who are not in compliance with
4 a court support order of support; and'

6 **SUMMARY**

8 This amendment amends department-specific language
concerning license suspension for failure to pay child support.
10 The term "compliance with a court order of support" is replaced
with "compliance with a support order" and the definition is
12 revised in the laws within the jurisdictions of the Department of
Professional and Financial Regulation, the Department of Marine
14 Resources and the Department of Inland Fisheries and Wildlife to
be consistent with the new definition in the child support
16 enforcement laws proposed in the bill.



**121st Maine Legislature
Office of Fiscal and Program Review**

LD 1298

**An Act To Penalize a Person Who is Habitually Late Making Child
Support Payments**

LR 0872(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Minor revenue increase - Other Special Revenue Funds

Fiscal Detail and Notes

Fiscal note assumes a minor increase in State child support collections.