

MAINE STATE LEGISLATURE

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5mg
R. 4.8.

Date: 5/19/11

Minority

(Filing No. H-309)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 97, L.D. 115, Bill, "An Act To Amend the Laws Governing Child Support Enforcement"

Amend the bill by striking out all of section 1 (page 1, lines 2 to 5 in L.D.) and inserting the following:

'Sec. 1. 14 MRSA §4422, sub-§17 is enacted to read:

17. Resources to pay child support. The debtor's interest in funds or assets that are necessary for the debtor to pay past-due child support pursuant to a support order, except for funds or assets that are attached or executed upon to pay a contractual security interest, including but not limited to a mortgage or a tax lien or a mechanics lien preserved and enforced under Title 10, sections 3451 and 3452.

For purposes of this subsection, "support order" has the same meaning as provided in Title 19-A, section 2101, subsection 13.'

Amend the bill in section 2 in §2110 in the last line (page 1, line 12 in L.D.) by inserting at the end the following: 'This section does not apply to the collection or enforcement of tax debts under Title 36 or a contractual security interest.'

Amend the bill by adding after section 2 the following:

'Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Provides funds for one Bail Account Manager position and related costs to oversee a statewide system of the disbursement of bail funds. Also provides funds for the one-time computer programming costs necessary to accommodate the priorities established in this Act.

COMMITTEE AMENDMENT

R. 4.8.

1	GENERAL FUND	2011-12	2012-13
2	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
3	Personal Services	\$55,056	\$78,280
4	All Other	\$207,500	\$1,500
5			
6	GENERAL FUND TOTAL	<u>\$262,556</u>	<u>\$79,780</u>
7			

8 **SUMMARY**

9 This amendment is the minority report. The amendment replaces section 1 of the bill
10 and provides an exemption from attachment and execution of a debtor's interest in funds
11 or assets that are necessary for the debtor to pay past-due child support pursuant to a
12 support order except for funds or assets that are attached or executed upon to pay a
13 contractual security interest, including but not limited to a mortgage or a tax lien or a
14 mechanics lien preserved and enforced under the Maine Revised Statutes, Title 10,
15 sections 3451 and 3452. The amendment also provides that a support order does not take
16 priority over an action to collect or enforce tax debts or a contractual security interest. It
17 also adds an appropriations and allocations section.

18 **FISCAL NOTE REQUIRED**

19 (See attached)



125th MAINE LEGISLATURE

LD 115

LR 452(02)

An Act To Amend the Laws Governing Child Support Enforcement

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
Net Cost (Savings)				
General Fund	\$262,556	\$79,780	\$82,128	\$84,547
Appropriations/Allocations				
General Fund	\$262,556	\$79,780	\$82,128	\$84,547

Fiscal Detail and Notes

This bill includes a General Fund appropriation of \$262,556 in fiscal year 2011-12 and \$79,780 in fiscal year 2012-13 for the Judicial Branch for one Bail Account Manager position and related costs to oversee a statewide system of the disbursement of bail finds. It also includes a one-time General Fund appropriation of \$200,000 in fiscal year 2011-12 for the necessary computer programming costs associated with the change in the priority. Any increase in child support collections by the Department of Health and Human Services is expected to be minor and would be absorbed within existing budgeted resources.