

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 619

S. P. 341

In Senate, February 11, 1941.

Referred to Committee on Labor. Sent down for concurrence and 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Dow of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT Relating to Assignment of Wages.

Be it enacted by the People of the State of Maine, as follows :

R. S., c. 123, § 9, amended. Section 9 of chapter 123 of the revised statutes is hereby repealed and the following enacted in place thereof :

‘Sec. 9. Assignment of wages not valid unless recorded; notice; penalty.
A. No assignment of wages not yet earned shall be valid for any purpose unless it be in writing and signed by the assignor and contain a statement of the exact amount of the claim it is given to secure or satisfy; unless it has attached thereto an affidavit signed and sworn to by both the assignor and assignee that the statement therein relative to the consideration for said assignment is true and that it is not given or taken for the purpose of delaying, hindering or defrauding the creditors of the assignor; and unless it be recorded in the office of the clerk of the town or city in which the assignor is employed at the time the assignment is executed by him. Provided, however, that if at the time said assignment is executed, the assignor is employed in an unorganized place, said assignment shall be recorded in the office of the register of deeds for the registry district in which said unincorporated place is located.

B. No such assignment shall be binding on the employer unless and until he has received notice in writing thereof and has been furnished with a copy of the assignment certified to by the clerk or register in whose office the original is recorded.

C. Upon receipt of the notice and a copy of such assignment, the employer shall from that date pay over to the assignee all wages of the assignor from that time earned, less any deductions required by law, until the full amount called for by said assignment has been paid; at which time said assignment shall become null and void and shall be discharged forthwith by the assignee in the office in which it was recorded.

D. Any person who shall make or take an assignment of wages in violation of the provisions of this section, or who shall make a false or fraudulent statement in the affidavit provided for in paragraph A, shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$500 or by imprisonment for not more than 6 months, or by both such fine and imprisonment.'