

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1973

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature

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The personal recognizance of the judgment debtor shall be given to the judge of the District Court, or in his absence or disability, to the sheriff, in which event it shall be filed with the court.

Sec. 8. R. S., T. 14, § 3136, amended. Section 3136 of Title 14 of the Revised Statutes, as enacted by section 1 of chapter 408 of the public laws of 1971, is amended to read as follows:

§ 3136. Contempt, ex parte proceedings

Whenever a judgment debtor fails to comply with any order under sections 3131 and 3132 and a judgment creditor complains in writing to the court that such an order has been disregarded or disobeyed by the judgment debtor, or if a judgment debtor fails to appear after having given his personal recognizance, summary process shall issue by order of the judge, requiring the judgment debtor to appear for a hearing on a day certain and show cause why he shall not be adjudged guilty of contempt and be punished by such reasonable fine or imprisonment as the circumstances require. In addition, the judgment creditor may proceed ex parte and the court may enter orders pursuant to sections 3127, 3130, 3131, 3132 and 3137, except that no earnings shall be subject to an installment payment order under section 3127 or an order to an employer or payor of earnings under section 3137 except for the excess of earnings over \$100 per week. ~~If the judgment debtor fails to appear at said show cause hearing, the court may issue a capias to bring in~~

Sec. 9. R. S., T. 14, § 3137, amended. Section 3137 of Title 14 of the Revised Statutes, as enacted by section 1 of chapter 408 of the public laws of 1971, is amended to read as follows:

§ 3137. Orders to employers or payors of earnings

If the judgment debtor fails to make 3 consecutive payments as required by the installment payment order and fails to show sufficient cause why he is not complying with said order or if the judgment debtor fails to appear after having given his personal recognizance, the court may order the employer or other payor of earnings of the judgment debtor to pay subsequent installments on any ~~such~~ installment payment order directly to the judgment creditor; provided that no such payment shall be made from earnings not subject to an installment payment order under section 3127 and in the case of such an order made ex parte, to the limitation set forth in section 3136.

No employer may discharge any employee because his earnings have been subjected to such ~~an order~~ orders.

Effective October 3, 1973

CHAPTER 478

AN ACT Relating to Commencement of Desertion and Nonsupport Actions.

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

R. S., T. 19, § 304, additional. Title 19 of the Revised Statutes is amended by adding a new section 304 to read as follows:

§ 304. Actions

Any action under this chapter may be commenced by civil summons without an order of service from the court. The Supreme Judicial Court shall prescribe by general rule the procedure for such civil action.

Effective October 3, 1973

CHAPTER 479

AN ACT Relating to Support, Judicial Separation and Annulment Actions by
Military Nonresidents Stationed in Maine.

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

Sec. 1. R. S., T. 19, § 214, amended. Section 214 of Title 19 of the Revised Statutes, as amended by section 6 of chapter 19 of the public laws of 1965, is further amended by adding a new paragraph at the end to read as follows:

The right to file such a complaint shall not be denied any person for failure to meet any residency requirement if such person is a member of the Armed Forces of the United States on active duty stationed in Maine or a dependent or spouse of such a member. Such a member shall be deemed to be a resident either of the county in which the military installation or installations or other place at which he has been stationed is located or of the county in which he has sojourned.

Sec. 2. R. S., T. 19, § 301, amended. Section 301 of Title 19 of the Revised Statutes is amended by adding a new paragraph at the end to read as follows:

The right to bring such petition shall not be denied any person for failure to meet any residency requirement if such person is a member of the Armed Forces of the United States on active duty stationed in Maine or a dependent or spouse of such a member. Such a member shall be deemed to be a resident either of the county in which the military installation or installations or other place at which he has been stationed is located or of the county in which he has sojourned.

Sec. 3. R. S., T. 19, § 584, amended. Section 584 of Title 19 of the Revised Statutes is amended by adding a new paragraph at the end to read as follows:

The right to bring such petition shall not be denied any person for failure to meet any residency requirement if such person is a member of the Armed Forces of the United States on active duty stationed in Maine or a dependent or spouse of such a member. Such a member shall be deemed to be a resident either of the county in which the military installation or installations or other place at which he has been stationed is located or of the county in which he has sojourned.

Sec. 4. R. S., T. 19, § 632, amended. Section 632 of Title 19 of the Revised Statutes is amended by adding a new paragraph at the end to read as follows: