

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

ing with the department or a guardian ad litem in an investigation or other child protective activity or giving evidence in a child protection proceeding.

Effective July 25, 1984.

CHAPTER 782

H.P. 1717 - L.D. 2276

AN ACT Relating to the Enforcement and Collection of Child Support Obligations.

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

Sec. 1. 5 MRSA §1003, is amended by adding at the end a new paragraph to read:

A member's retirement allowance shall be available to satisfy any child support obligation which is otherwise enforceable by execution, garnishment, attachment, assignment or other process. A member's accumulated contributions being refundable under section 1096 shall be available to satisfy any child support obligation which is otherwise enforceable by execution, garnishment, attachment, assignment or other process.

Sec. 2. 19 MRSA §504, sub-§10 is enacted to read:

10. Priority of order. Notwithstanding any other provision of law, the order to withhold and deliver shall have absolute priority over previously filed orders against assets, earnings and assignments of earnings not for the enforcement of a child support obligation entered after the effective date of this subsection.

Sec. 3. 19 MRSA §511, as enacted by PL 1975, c. 532, §3, is amended by adding after the first paragraph a new paragraph to read:

Notwithstanding any other provision of law, an assignment of earnings presented by the commissioner shall have absolute priority over previously filed orders against earnings and assignments of earnings not for the enforcement of a child support obligation, which orders and assignments were entered after the effective date of this paragraph.

Sec. 4. 19 MRSA §774, sub-§3, as enacted by PL 1979, c. 668, §6, is amended to read:

3. Order to employer or payor of earnings. The employer or other payor of earnings to make direct payments, if the court has ordered installment payments under section 773 or otherwise, such an order to have absolute priority over all previously filed orders against earnings and assignments of earnings not relating to enforcement of alimony, child support or costs;

Sec. 5. 26 MRSA §627 is amended by adding after the first paragraph a new paragraph to read:

An assignment of wages executed in satisfaction of a child support obligation shall have absolute priority over all previously filed orders against earnings entered pursuant to the Revised Statutes, Title 14, section 3137, and over any other assignment of wages, which orders and assignments were entered after the effective date of this paragraph.

Effective July 25, 1984.

CHAPTER 783

S.P. 881 - L.D. 2386

AN ACT Amending the Child and Family Services and Child Protection Act.

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

Sec. 1. 22 MRSA §4005, sub-§1, ¶A, as repealed and replaced by PL 1983, c. 183, is amended to read:

A. The court, in every child protection proceeding except a request for a preliminary protection order under section 4034 or a petition for a medical treatment order under section 4071, but including hearings on those orders, shall appoint a guardian ad litem for the child. His reasonable costs and expenses shall be paid by the District Court. The appointment shall be made as soon as possible after the proceeding is initiated.

Sec. 2. 22 MRSA §4005, sub-§2, as enacted by PL 1979, c. 733, §18, is amended to read: