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Date: (Filing No. H-)

JUDICIARY

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

COMMITTEE AMENDMENT “ ” 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

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)**