

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Modify the Laws Regarding Garnishment of Wages

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

Sec. 1. 9-A MRSA §5-105, sub-§2, as amended by PL 1995, c. 614, Pt. A, §5, is repealed and the following enacted in its place:

2. The maximum part of the aggregate disposable earnings of an individual for any workweek that is subjected to garnishment to enforce payment of a judgment arising from a consumer credit transaction may not exceed the lesser of:

A. Twenty-five percent of the individual's disposable earnings for that week; and

B. The amount by which the individual's disposable earnings for that week exceed 40 times the federal minimum hourly wage prescribed by Section 6(a)(I) of the Fair Labor Standards Act of 1938, 29 United States Code, Section 206(a)(I), or the state minimum wage prescribed by Title 26, section 664, whichever is higher, in effect at the time the earnings are payable.

In the case of earnings for a pay period other than a week, the administrator shall prescribe by rule a multiple of the minimum hourly wage equivalent in effect to that set forth in this paragraph.

SUMMARY

This bill revises the Maine Consumer Credit Code so that a garnishment judgment for a consumer credit debt must allow a worker to retain at least the equivalent of the federal or state minimum wage, whichever is higher.