



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 916

S.P. 303

In Senate, March 7, 2017

### **An Act To Modify the Term and Withholding Limitations for Spousal Support**

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator WOODSOME of York.

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

2 **Sec. 1. 19-A MRSA §951-A, sub-§2, ¶A**, as enacted by PL 1999, c. 634, §3, is  
3 repealed.

4 **Sec. 2. 19-A MRSA §951-A, sub-§2-A** is enacted to read:

5 **2-A. Amount of award.** Unless agreed by the parties, a court may not award more  
6 than 30% of an obligor's income under subsection 2.

7 **Sec. 3. 19-A MRSA §951-A, sub-§3**, as enacted by PL 1999, c. 634, §3, is  
8 amended to read:

9 **3. Methods of payment; term and limitations.** The order must state the method or  
10 methods of payment that the court determines just, including, but not limited to, lump-  
11 sum and installment payments. The order must also state the term of and any limitations  
12 on the award that the court determines just, including, but not limited to:

- 13 A. A limit on any increases or decreases in the amount of support;
- 14 B. A limit on any increases or decreases in the term of support;
- 15 C. A limit on the method or methods of payment of support;
- 16 D. A limit on the payment of support related to the remarriage of the payee; and
- 17 E. A limit on the payment of support related to cohabitation by the payee.

18 The term of an order under this section may not exceed 4 years.

19 **Sec. 4. 19-A MRSA §951-A, sub-§13** is enacted to read:

20 **13. Submission of financial information.** Each party shall provide annually to the  
21 court an affidavit showing that party's income and assets.

22 **Sec. 5. 19-A MRSA §954, sub-§1, ¶G** is enacted to read:

23 G. A withholding order may withhold up to 30% of an obligor's disposable income  
24 for amounts owed that are not in arrearage and up to 35% of an obligor's disposable  
25 income for amounts owed that are in arrearage.

26 **SUMMARY**

27 This bill amends the laws governing spousal support in divorce actions by:

- 28 1. Repealing the provision allowing the awarding of general support;
- 29 2. Unless agreed to by the parties, limiting the amount of support a court may order  
30 to no more than 30% of the obligor's income;
- 31 3. Limiting the term of a support order to 4 years;

- 1           4. Limiting the amount of a withholding order to no more than 30% of a obligor's
- 2 income and, if the award is based upon an agreement of the parties, no more than 35% for
- 3 amounts owed that are in arrearage; and
- 4           5. Requiring the parties annually to submit financial affidavits to the court.